MILLARD'S

REVIEW

OF THE FAR EAST

密勒氏評論報

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OF THE FAR EAST

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YEARLY SUBSCRIPTION, FIFTY-TWO ISSUES, MEX. TEN DOLLARS IN ADVANCE, POSTAGE INCLUDED, IN CHINA AND THE FAR EAST. IN THE UNITED STATES FIVE DOLLARS U. S. CURRENCY. REMITTANCE FROM OTHER COUNTRIES THAN CHINA CAN BE MADE BY INTERNATIONAL MONEY ORDER. ENTERED AS SECOND CLASS MATTER IN THE AMERICAN, CHINESE, BRITISH AND JAPANESE POST OFFICES AT SHANGHAI IN MAY, 1917.

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COMMUNICATIONS PERTAINING TO SUBSCRIPTIONS OR ADVERTISING SHOULD BE ADDRESSED TO THE REVIEW AT 113 AVENUE EDWARD VII, SHANGHAI, CHINA. SINCE THERE IS A U. S. POSTAL AGENCY IN SHANGHAI, AMERICAN DOMESTIC POSTAL CHARGES APPLY BETWEEN THIS PORT AND ALL PARTS OF THE UNITED STATES.

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THE East China Educational Association has been in session in Shanghai during the present week. It brings together those who are interested in the educational work of the Christians throughout this part of China. The condition of the schools of this country should make the deliberations of this Association serious, earnest and frank. The Chinese New Year is coming and with its approach has come the end of the first part of the school year throughout the whole of this country both in the government and in the private schools. Whether or not he is to attend meetings to deliberate upon the schools every one who has to do with education in China should consider matters during these weeks of vacation. For the truth is that the condition of educational work is decidedly bad. In Hangchow the schools are trying to carry on their work but the difficulties and the troubles are so many that it is almost an impossibility. In Foochow the schools are closed until the first of March and no one knows whether they will open then. In Canton the student organization has divided and the excesses of one of the divisions has brought the students into a quarrel with the chief of police and with the school authorities. In the province of Hunan the schools are closed and no one knows when they will open. Throughout the province of Shantung there is trouble and the schools are conducted from day to day with no certainty for the immediate future. In Tientsin an open quarrel has broken out and there have been strikes throughout the year. In Peking conditions are, if anything, worse than in Tientsin. There matters are also on the verge of an open clash and no one can see the end of the trouble. Looked at superficially, there are many causes for the present miserable state of things. In some cases the immediate cause has been the action of the

students, as in Canton. In some cases the immediate cause has been the action of the teachers. In Peking the teachers went out on a strike and they struck not only because they received their meager pay in depreciated notes, but because, it is said, they had received absolutely no pay for some months. In some cases the immediate cause has been the action of the officials, as was probably the case in Hunan. But this is, of course, the superficial aspect of the matter.

The fundamental difficulty with China's schools is that they are the "football of politics." This difficulty has two aspects. In the first place the students have taken it upon themselves to use school strikes in order to bring pressure to bear upon the government. There is no danger to the educational system so long as the students by means of student organizations seek to give expression to their opinions and to make themselves felt through the public opinion they may be able to arouse. They have given abundant evidence of their power to win by such means. But there is danger when the students strike against the schools in order to reach their government. When the students of China rouse public opinion they are using the means that no enlightened government can deny its citizens. When the students strike at the schools they are, in their way, making the schools the football of politics. A recent proclamation by Civil Governor Chu Ying-Kwang of the province of Shantung has been printed in the press of Shanghai under the title, *A Word of Admonition to the Students of the Various Schools in the Province of Shantung*. There is a measure of good sense in his words "of strict admonition and gentle advice." The good sense shows itself in his appreciation of this fact that the students ought not to use the schools in order to carry on a political fight. Upon the second aspect of the difficulty, which is that the government and the officials have made the schools the football of politics, the Governor has nothing to say. Upon such matters as were set forth in a recent editorial in the *Shih Pao*, the Governor is silent. "Whenever," says the *Shih Pao*, "a political party gains the upper hand, the head of the Ministry of Education is changed. Nor is this all. When funds are deficient, the educational grants are invariably diverted to political channels."

THE Governor of Shantung has done no more than point out the trouble. His remedies are not such as will commend themselves to intelligent observers of conditions in China. The chief reason, perhaps, that the students have taken upon themselves the task of national salvation is that they do not trust those now in power in their country to take a firm stand. They believe that the officials are not to be trusted and that others must act. There is one way to meet this feeling and it is to point out to the students that it is false and to prove it. The students must be met upon the ground of reason and they must be told such facts as will restore their confidence. The Governor's proclamation contains no statements of what is being done to oppose the imminent danger of foreign aggression and foreign control. Instead there are such sentences as these:

> As to the reinstatement of our economic rights and the protection of our various districts in this province, it is my paramount duty and I, as Civil Governor, shall take full responsibility. Suppose that I am not capable of fulfilling this duty, the Central government can still supervise and direct me from above, and my subordinates assist me from below. In addition, both the provincial assembly and the elders of Shantung can also help and guide me whenever they see fit. In short, you, as students need not trouble yourselves to waste your energy and quit your studies just because you have grieved so much over the miserable state of affairs particularly in the province of Shantung.

This sort of talk can be applied to all cases and with equal effectiveness or ineffectiveness. It does not require a vivid imagination to picture the Civil Governor turning upon occasion to the "elders of Shantung," if at any time they should be so inconsiderate of the proprieties as to ask questions, and saying these same words to them. Trust me and mind your own business, is hardly the attitude of the official who feels himself to be the representative of his people. The complete application of this theory would make government disappear in a pink fog of mutual and unquestioning faith wherein no one would be so cruel as to ask a man in a place of trust and power: Have you used your power for the good of the country and have you executed your trust? The Governor's theory would make public opinion a pillow for the weary head of the official; the students are proceeding upon the theory that public opinion in China today needs to be a goad and a threat. The Governor does not meet the issue. Another grievance of both teachers and students is that the educational problems of the country are not taken seriously. They have little faith in the educational policy of a government that fails to pay its teachers. Upon this point the Governor makes such unsupported statements as these:

> It is only fair to say that the government, in the face of tremendous difficulties has been doing its best in maintaining and furthering every line of education.

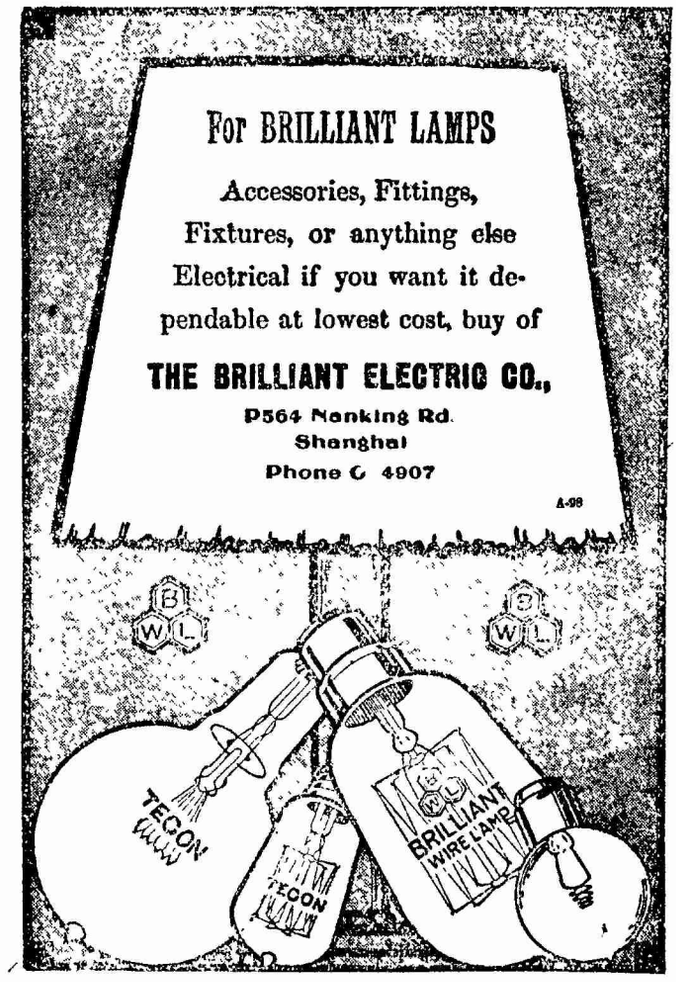
It is only fair to ask, the teachers and students may well reply, where are the proofs for such a statement?

> It will not be too much to say," continues the Governor, that the defeat of France in the Franco-Prussian war in 1870-1871 was largely attributed to the better system of schools in Germany than in France at that time. It is equally true that the reason why Japan was able to defeat Russia in the war of 1904 was chiefly due to the successive improvements and reforms in the Japanese schools, while the schools in Russia received less attention from their government. It has never been known that men can help their nation by sacrificing their studies and by stirring up excitement.

It is equally beyond the experience of man, the students and teachers may well reply, that officials can help their nation by neglecting to pay teachers and by using the educational system as the football of politics.

THE need of China is overwhelming. The school system of the country must not be broken up. Every student needs to lay this to heart and to take his political battles outside the school room. The schools of the country must be carried on. Every teacher needs to give earnest consideration to this fact. The educational system must be maintained. Every official needs to have this before him at all times. The difficulties are not to be solved by violence and speech-making on the part of students, nor by strikes on the part of teachers, nor by lofty and high-sounding preachments on the part of officials. They are to be solved by working together without rest for the salvation of the country. China's hope does not lie in government by strike and clamor or by platitudinous proclamations; but in getting together and getting together quickly. A union which will inspire trust and oppose those who are listless, desperate or mercenary, will find the students, the teachers and the officials working together with energy and hope. Let the New Year begin with an earnest resolution on the part of all who have to do with China's schools to support those schools through all trouble and difficulty. Let all, students, teachers and officials, agree upon the slogan so frequently heard in America: Keep the schools out of politics.

THE conflict between the soldiers and the students in Tientsin on January 29th, which resulted in the wounding of more than eighty of the latter, is regarded as a most regrettable aspect of the boycott compaign and shows the necessity for the Chinese government to formulate a uniform and correct policy in



dealing with the movement. The officials must allow orderly demonstrations, orderly mass meetings, orderly processions and inoffensive methods of giving expression to the feelings of the people on national questions which concern the future welfare of the country, interfering only whenever it is found that the people have gone beyond the limit of the law in the manifestation of their patriotism. The officials must see to it that the students do not do anything which the ever watchful Japanese can construe as a violation of their treaty rights and out of which they can make a stronger case against China. The effect of the boycott movement is being so keenly felt by the Japanese that they will do and, in fact, are doing anything they can to provoke the Chinese to some form of violence, in order to manufacture Sino-Japanese accidents, and then ask indemnity for imaginary losses. The unfortunate occurrence on January 31, in Peking in connection with the collison of Dr. Kawada, a Japanese physician with the Chinese students who were then parading against direct negotiations with Japan concerning Shantung and against the ill-treatment of the Tientsin students, illustrates the way in which Sino-Japanese accidents are created. Dr. Kawada's motor car reached the Tung Tan Pailou during the students' parade and was requested by the police to stop or take another route. The chauffeur was on the point of complying with the

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request when Dr. Kawada, evidently bent upon taking the law into his own hands, took the wheel himself and insisted upon forcing a passage through the procession and actually drove the car amongst the students. A dispute between the Japanese doctor and the students followed, but the police on duty intervened in time and separated the two parties. "If even in Peking itself we have Japanese deliberately provoking the students to violence," said a Chinese newspaper, commenting on the accident, "what must it have been like in the provinces where arrogant Japanese consuls can easily brow beat the local Chinese officials into submission?" This shows the supreme need for the government to take such measures as are necessary to prevent the people from playing the "opponent's game." There are no two opinions on the question of who will be the greater loser, Japan or China, when there is a Chinese-Japanese clash. An enlightened and uniform policy on the part of the ruling authorities in the North as well as in the South is urgently needed in dealing with the present anti-Japanese movement. It must be such that on the one hand the Japanese will have no legal ground upon which to base their protests against the movement and that on the other hand the people in showing their patriotism must be made to understand the difficult position of the government and be urged not to act in any way to which the Japanese can object.

THE Tientsin incident which caused so much excitement all over the country could have been avoided had the local authorities, especially the Civil Governor, acted more tactfully or exhibited less aptitude for "fu yen," which means "promising much and doing nothing, or letting things go in their own ways." The main facts connected with it are briefly as follows: The Students' Union, in their endeavor to make the boycott movement effective, obtained the consent of the merchants to the issue of search warrants for searching Chinese shops suspected of selling Japanese goods. Armed with the so-called "search-warrants," its investigators visited the suspected shops and searched them. This practice continued for some time until the legality of it was questioned when three Japanese, two of whom were policemen, set upon the student investigators and took away their search-warrants when the latter were engaged in searching a Chinese shop just inside the East City of Tientsin. According to the police, the students, quite illegally, removed about twenty baskets of goods of Japanese manufacture. It was subsequently found that the shop concerned had made a contract with a Japanese firm for the sale of the goods and that its keepers had already decided to terminate the contract at the end of the Chinese New Year. A scuffle between the Japanese and the students ensued, and the Chinese police intervened. Reinforcements came to the aid of the students and arrested two employes of the shop, one of whom was later released. The retained shop-keeper was paraded by the students on the streets the next day to warn other shop-keepers who might secretly sell Japanese goods. The police attempted to release him by negotiations and finally had to take him by force. Some of the students who tried to recover him by force were arrested, and several more students who vainly attempted to lay a complaint against the arrest of their comrades before the Governor were, likewise, detained by the police on his instructions. Two days later a street procession was held by the students as a demonstration against direct negotiations, for Shantung and was not molested by the police. On January 30, several thousand students, both boys and girls, assembled again and marched to the Governor's yamen and demanded an interview with him, in order that they might present their view on the Shantung question and press for the release of their arrested representatives. The Governor declined to receive their representatives. Shortly afterwards, a thousand soldiers, sent for from outside of Tientsin, apparently to maintain order, arrived and commenced to beat the assembling students with the butts of their rifles, irrespective of the sex. More than eighty students were seriously wounded. In the midst of the unequal fight,

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SATURDAY—FEBRUARY 7th

7000	Chinchilla Rats
2000	Viscachas
1400	Siberian Raccoon
8	Sea Otter
6800	Russian Sable
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MONDAY—FEBRUARY 9th

18000	Japanese Mink
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35000	Japanese Fox
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8000	Flying Squirrel
2000	China Pahmi
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TUESDAY—FEBRUARY 10th

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67000	Wambat
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70000	Kolinsky
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WEDNESDAY—FEBRUARY 11th

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3000	Mouffloons
325	Mountain Lion
20000	House Cats
380,000	Opossum
5000	Ringtailed Cat
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THURSDAY—FEBRUARY 12th

543,000	White Hares
2000	White Rabbits
1000	Australian Hares
700,000	pounds Australian Rabbits
200,000	pounds New-Zealand Rabbits
300,000	Dutch Rabbits

FRIDAY—FEBRUARY 13th

300,000	Skunk
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SATURDAY—FEBRUARY 14th

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nearly sixty Japanese standing by clapped their hands in approval. In consequence, the student movement, which has gradually become less active of late, has been re-intensified, and the efforts of the people in boycotting Japanese goods have been reinforced. Fresh developments are expected if the government continues dealing with the situation in a haphazard manner.

A RECENT telegram from London gives to the Americans in the Far East information that should come more directly. One of the factors in the price of silver in the immediate future is said to be the introduction of the McFadden Bill in the United States Congress authorizing the Federal Reserve Banks to issue notes of various denominations down to one and two dollars and also providing for reducing the quality of silver coin to 8.

According to custom and law in many countries the issue of bank notes is restricted to notes of fairly large denominations and it has been the custom in America to issue no notes of a smaller denomination than five dollars. The one and two dollar "notes" that have been in general circulation have been silver certificates, a sort of warehouse receipt for the hard coin in the treasury, and not notes at all. It is proposed to change this. The fineness of the silver used in the American silver dollars and in the subsidiary coins has in the past been nine-tenths. It is proposed to change this and to reduce the amount of pure silver in the silver currency of America. France is said to be considering the use of metals other than silver for subsidiary coins. England is considering the same thing. Germany is said to be making attempts to substitute paper for silver, though the amount of paper money in circulation in that country would lead one to suppose that the substitution had been made long ago. The world seems to be mobilizing for an attack upon the present high price of silver.

Whether this attack will bring down the price of silver or not depends upon a number of considerations. China lost much silver to India during the early years of the war and her stocks need to be replenished. India is, as she has always been, continuous in her demand. Parts of the now defunct Turkish Empire must also be in great need of silver. These demands must be met before the price can be expected to come down.

Unless the world, and especially the European world, is to go on a paper basis for an indefinite period of years, there must soon be action of a vigorous sort to get Europe back on a hard money basis. When the Shanghai merchant buys exchange to-day he is not buying gold but paper, which for all practical purposes is still irredeemable in most of the nations of the West. An important step will be taken toward bringing down the price of silver when all the nations of the West get back on a hard money basis.

It may be expected that the steps taken to bring in substitutes for silver will bring the price down somewhat but there can be no great and permanent reduction until paper money is being retired throughout Europe.

A conclusion of this sort is of little interest or value to the man who wants to know what the rate of exchange will be on Monday morning; but if we all knew, there would be little profit in guessing. The above is submitted as editorial speculations, the safest sort on the Shanghai silver market.

A NUMBER of contracts made between provincial authorities and foreigners for mining, railway and other enterprises which have not received approval from either the Ministry of Industry or the Ministry of Communications have recently come to the notice of the Peking government. Reports have also been received from the South stating that Tsen Chun-hsuan, chairman of the Administrative Council of the Southern government, has had himself appointed as Director-General of the Railway Administration, independent of the Peking Ministry of Communications, and is proceeding to award railway contracts to the foreign firms which approach him. Several military governors, who are nominally loyal to Peking, have already signed or are about to sign railway, or mining contracts with representatives of foreign companies for joint co-operation or in return for loans. All this information is causing some concern in official circles in the Capital. With the object of stopping the conclusion of any transaction which might affect the public property without its knowledge or approval, the government has issued a circular of instruction to the provincial authorities forbidding them to sign agreements with foreigners for enterprises which would involve the rights of the country without first obtaining its sanction. At the same time, an official despatch has been sent to the Diplomatic Body in Peking to the following effect:—

"The Ministry of Foreign Affairs has repeatedly notified the various foreign legations that no agreement secretly signed between Chinese individuals and foreigners affecting the sovereign rights of the nation or the property of the public, or between the provincial authorities and foreigners regarding the construction of tramways or railways, or the operation of mines, will be considered valid without the previous approval of the Central government. We have no doubt that various foreigners have already been informed by their respective legations to this effect. It has been noticed that there are reports in the newspapers stating that negotia-

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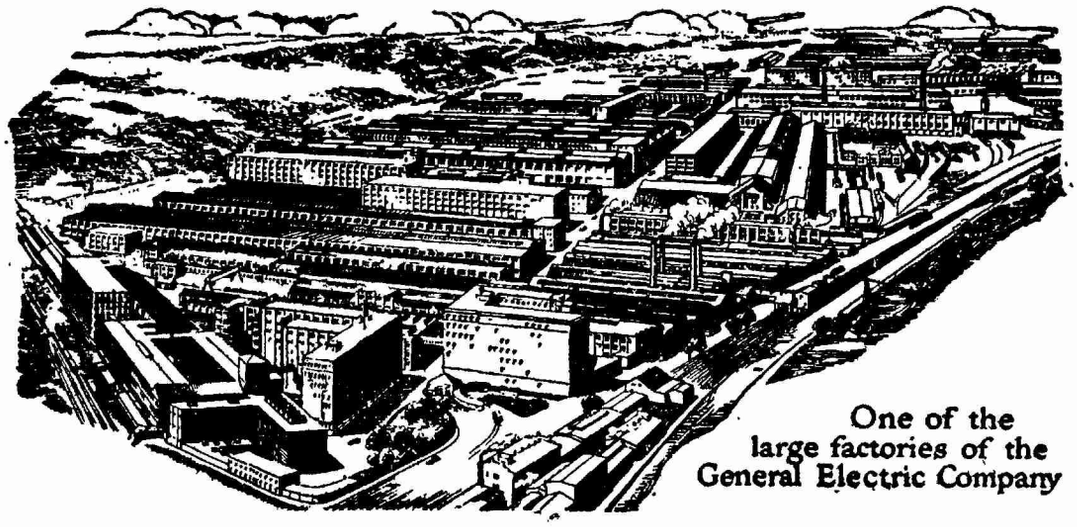
tions are going on between certain provinces and foreign capitalists for the conclusion of loans for the operation of mines. We hope that the above will prove to be mere rumors, but we deem it necessary to give a word of warning. It is feared that foreigners, being ignorant of the relations between the Central and the provincial authorities, may sign contracts with the latter, thus getting themselves into trouble. It is again hereby announced that no contract or agreement signed between foreign merchants and the provincial authorities under any circumstances whatsoever will be considered valid in Chinese law, and the Chinese government will refuse to acknowledge its legality, etc."

THE government hopes that the circular of instruction and the despatch to the Diplomatic Body will put a stop to the new tendency on the part of the provincial authorities to pledge away mining, railway and other national rights in return for loans to tide over their critical financial situation without previously consulting the Cabinet. Undoubtedly, no foreign business man of standing would care to contract with the authorities in the provinces, the legality of which may be questioned. Several contracts which were made in the past without the approval of the Central government have since become subjects for lengthy diplomatic negotiations between the Chinese officials and the legation of the foreign representatives concerned. Such agreements should be avoided in view of the trouble therein involved, which in the long run will not pay. They tend to destroy the good name of those foreign firms who have made them. On the other hand, it would be most expedient for the Chinese government to reform commercial laws, and especially the mining laws, in order that it will be possible and feasable to have foreign cooperation in the development of China's unlimited natural resources. At the present time those foreign firms which can wield the greatest influence in dealing with the Chinese officials usually get business transacted on terms most favorable to themselves. This undesirable situation should by all means be remedied at the earliest possible moment.

FOURTEEN candidates for nine vacancies on the Shanghai Municipal were nominated at the closing of the nominations last Monday. Of these three, C. M. McBain, A. Brooke-Smith, and D. Goh, are members of the present municipal governing body. The other nominations were: A. E. Algar, M. Benjamin, E. T. Bryne, G. M. T. Edkins, Stirling Fessenden, A. J. Hughes, W. P. Lambe, J. F. McGregor, P. A. Cox, H. A. McIntyre. The two American candidates upon their nomination received the vote of approval



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of the American Chamber of Commerce of Shanghai and the American Association of China at a joint meeting of committees representing the two bodies last week. The elections will be held on next Monday and Tuesday, February 16 and 17. With the ever increasing American population of Shanghai, it is fitting that they should have two men having long years of residence in Shanghai and who are fully qualified to represent them in the international settlement.

Bolsheviks and the Chinese Eastern Railway

BY HOLLINGTON K. TONG.

A DECISION to take over the Chinese Eastern Railway, which is situated within Chinese territory and owned by a Russian Company, and to assume complete and absolute control of it, is about to be made by the Chinese government in response to the demand of the people in Manchuria. It will be made and carried out if the Russians living along the line express their feeling, either pro or con, toward the Soviet government, or against the Japanese, in a tangible form. The Chinese troops are now in readiness to cope with any new development arising from Bolshevik activities possibly seizing the railway and ejecting every Russian who does not respect China's soverignty from Chinese territory.

General Horvath, managing director of the Chinese Eastern Railway, it is rumored here, has approached the Japanese for a loan to support his cause and offered the railway as security. The report is being investigated. Confirmation of it may force the Chinese government to take over the line at once and thus remove one possible danger from the Bolsheviks, who may penetrate into Chinese territory, with all the disastrous results that such penetration would bring in its trail in an endeavor to capture the line when they learn of the loan negotiations between the Japanese and General Horvath, who is known to be anti-Bolshevik.

The Japanese have been longing for the possession of the Chinese Eastern Railway to link up with the South Manchurian Railway and an understanding may have already been reached with General Horvath. A week ago the *China Advertiser*, a Japanese-owned English paper in Tientsin, published an interesting item of news concerning the matter.

"From Kirin it is reported," said the *Advertiser*, "that the American Consul-general at Mukden went thither to discuss with Tuchun Pao a loan to the Chinese Eastern Railway. The proceeds are to be used for the repair of the railway and working capital, the loan secured on a portion of the line. The proposition was first broached by General Horvath to Tuchun Pao so that the matter can be negotiated with the Peking government through him. It is learned that the American Consul-General assured the Tuchun that there would be no necessity for him to apprehend the objection of Japan, and that should it ever happen, he would see to it that ic would be removed."

Behind this smoke screen cleverly thrown up, loan negotiations may have been conducted although Japan is well aware that the United States was unwilling to accomodate China with even one million dollars last year when the Allies decided to float a $20,000,000 loan to maintain the Siberian and the Chinese Eastern Railways notwithstanding the promise of her representative to help China out. Much less could China expect any financial assistance from America now that America has been withdrawing her railway staff from Siberia and has apparently lost her interest in that quarter of the earth.

Should the foregoing report concerning the loan negotiations between Japan and General Horvath be unconfirmed or should the negotiations be suspended in consequence of the timely exposure, dangers still remain if the Chinese government does not promptly assume control of the railway and dispense with the services of its Russian employes. Either the Bolsheviks or the Japanese will try to seize the line, whereas

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the plans of the Russian railway workmen and their sympathizers to hold demonstrations against Japanese intervention, their demand to General Horvath not only to free political criminals but also to re-establish the Railway Executive Committee and other revolutionary organizations, and their general inclination towards the creation of party strife on the Chinese soil, may eventually lead to the spread into Chinese territory of the revolt of the Siberian masses.

General Horvath, who looms large upon the Eastern Siberian horizon, is hostile to the Soviet regime. For no other reason than that of personal revenge, the Soviet authorities may question his right to the management of the Chinese Eastern Railway. If he is allowed by China to continue controlling it, they may interpret it as an act of indiscretion on the part of the Chinese authorities, and retaliate with a similar act of indiscretion by trying to get hold of the line by force. In that case, the Chinese troops will necessarily have to defend it, and the hostility of the Bolsheviks, who hitherto have no grudge against China and who on the contrary have been entertaining the friendliest feeling for her, will recoil upon the country. As the first step towards making peace with the Bolsheviks was taken by the Supreme Council in Paris on January 16, when a resolution was adopted providing for the opening of trade and commercial relations with Russians, Red as well as White, it would be the height of folly for China to pick a quarrel with the Bolsheviks at this particular moment by deliberately giving to them an excuse for interfering with the management of the railway.

For Japan to take over the control of the railway, as a result of its inefficient management or under the pretext of military necessity, is equally disastrous. Japan, in the first place, is in no way entitled to possess it even for a brief moment although China is so entitled to on treaty stipulations. Japan is prohibited to do so by the Sino-Japanese Military Agreement of May 16, 1918, Article 8 of which states: "When the Chinese Eastern Railway is used for military transportation, the provisions of the original Agreement relating to the management and protection of the said line shall be respected. The method of transportation shall be decided as occasion arises." The provision of the railway Agreement herein referred to stipulates the protection of the line and of the men employed thereon by the Chinese government.

Japan is hated by the Russians in Manchuria, and they will certainly fight bitterly against her possession of their railway. If she can overcome their opposition, the Bolsheviks will dispute her right to the control of the line. They would have all strong arguments on their

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side, internal and international, in the dispute. China would suffer most seriously from such a collision between the Bolsheviks and the Japanese in her territory. She would unavoidably be drawn into the vortex of the fight.

If any justification is needed for China to take her proposed action of seizing the line at once, the proclamation of General Horvath issued on January 24, supplies it. It reads: "On account of the interruption of all communication with the Supreme Ruler and the Central government organizations, I consider myself forced, pending the renewal of contract with the Supreme Ruler, to assume full government power as regards the Russian population in Chinese Eastern Railway territory. At the same time I wish to draw the attention of this Russian population to the fact that, according to treaty with the Chinese government, the sovereign rights over this territory belong to China. Therefore, normal conditions of life on the part of the Russian population and satisfactory working of the railway as a Russian enterprise in foreign territory can only be attained by maintaining the existing very friendly relations between the Russian and Chinese peoples."

But what does General Horvath mean by "to assume full government power as regards the Russian population in Chinese Eastern Railway territory?" Does he intend to set up a Russian government on the Chinese soil? His false pretence to governmental power, in the opinion of the Military Governor of Heilungkiang, is sufficient to justify his removal as the head of the railway in order to preserve peace in China. If he could set up a Russian government on the Chinese soil, why could not the Bolsheviks? General Pao rightly took objection to the proclamation and lodged a strong protest, based on the following grounds:

"That it is unlawful and contrary to international law for one country to carry out any administrative measures within the domain of another country, that the terms of the Agreement concerning the Chinese Eastern Railway have been violated by the present action of General Horvath, that as managing director of the railway he is exceeding his power when he attempts to conduct a political movement within the railway zone, and that his energies should be confined to railway matters."

Once the Chinese Eastern Railway comes under Chinese control the Bolsheviks will have no reason to intrude into Chinese territory in view of their repeated declarations that they would halt on the fringe of the border. And the railway can also be always kept open in order to give no excuse to Japan for complaint. Japan has decided to dispatch five divisions, of war strength, numbering 100,000, to the Siberian frontier, during the month of February, either to fight the Bolsheviks or keep them out of the Far Eastern territory. On account of the present agitations on the part of his workmen, General Horvath will find it difficult, if not impossible, to keep up any efficient service on the railway. It is then up to China to maintain it.

From communications authorities it is learned that though not having acquired much experience in railway administration, the Chinese railwaymen are able to handle the situation and will have no trouble in providing the accomodations which the Japanese military men may exact from them for the transportation of their troops to the Russian border in accordance with the Sino-Japanese Military Agreement, which Japan maintains is still valid, and the validity of which is questioned by the Chinese. Dr. C. C. Wang, China's representative on the Allied Technical Board for the management of the Siberian and the Chinese Estern Railways, can be confidently counted upon to keep the line in running order. General Pao of Heilungkiang, Director-General of the Chinese Eastern Railway, has sufficient forces to guard the whole of the line to insure the safety and speed of traffic, or to prevent any possible interference from the Reds which is unlikely while the Chinese are in control of the railway.

Another decision which may soon be made by the Chinese government is to hold the railway until a proper government is organized in Russia and has been recognized by the Powers and then to open negotiations with that government either for the return of the line or for redemption as provided in the Agreement. Article 12 of the Agreement states:

"Thirty six years after commencement of traffic, China may take over the line on payment of the following and all capital and all moneys owed on account of the line and interest. As to profits made by the company, should there be any not distributed to shareholders, these must be taken to be capital returned and deducted from the price paid for the line. China must actually pay over the amount of purchase to Russia before receiving possession of the line.

The officials in Manchuria prefer the redemption of the line as early as possible. General Change Tso-ling, Military Governor of the Fengtien, particularly desires that it be purchased by the Chinese. A number of telegrams have recently been exchanged between him and Peking on this matter. In one of his telegraphic dispatches, General Chang urged the government to formulate a definite policy with a view to the buying back of the railway as a measure to strengthen the frontier defence. His views meet entirely with the approval of the Central government.

The Chinese Eastern Railway starts from Manchuli to Suifeuho, via Harbin, and from Harbin to Changchun. Its total length is over 700 miles. Its construction began in 1897. The line was opened to traffic on July 1st, 1903. Junctions with other systems are: at Changchun with the South Manchuria Railway, which is 465 miles long, transferred to Japan by Russia, with the consent of China, by the treaty of Portsmouth signed Sept. 5, 1905; at Manchuli, with the Trans-Siberian line; at Suifenho, with the continuation of the Trans-Siberian Railway to Vladivostok; at Angangki, with Tsitsihar Light Railway. Its branches are from Harbin to Changchun and Harbin to Pristan. The head office was formerly located in Petrograd and the local administration is in Harbin. The line was built by virtue of an agreement between the Chinese government and the Russo-Asiatic Bank signed on August 29th, 1896.

The following returns have been published:

	1908	1909	1910	1912
Receipts Roubles	14,941,556	15,556,309	17,524,135	22,000,000
Expenditure Roubles	18,403,787	15,251,270	15,905,520	30,000,000

Since 1915 the line has been making money. Li Chia-ao, China's High Commissioner in Siberia, reports that the Company's profit in 1915 amounted to 13,370,000 roubles; in 1916, 14,041,000 roubles; in 1917, 31,051,000 roubles; and in 1918, 6,074,000 roubles.

In June 1906 E. H. Harriman, bent on the carrying out of his round-the-world transportation idea and supported by Kuhn, Loeb and Company, advised Mr. Noetzlin, financier and head of the International Wagons-lits Company's organization in Paris, to organize an international syndicate to buy up the Chinese Eastern Railway. Mr. Noetzlin took a special trip to Petrograd to see Mr. Kokovtsoff, the Russian Minister of Finance, about the matter, and Mr Kokovstoff was favorably disposed towards the proposal. Mr. Harriman, however, died before. negotiations could commence, and his plans died with him. The line remained in Russian hands.

Last autumn when the Allies decided upon some form of cooperation in Siberia to assist the Czecho-Slovaks to get out of the country and stabilize the then existing Russian government, Japan tried to obtain from the Chinese government an invitation to cooperate in patroling the Chinese Eastern Railway. Upon her failure to bring about such an invitation, she suggested that the Chinese government drive out the Russians working along the line from Manchuria during the absence of General Horvath. Apparently she desired to replace these Russians with her own troops after their expulsion. The Allied decision to take over the control of both the Siberian and the Chinese Eastern Railways put a stop to her intrigue. Japan is now having another chance to get the line if China does not avail herself of it. This, in brief, is the history of the railway, the control and status of which has become an important subject at the present moment.

Peking, February 6, 1920.

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Outline for the Study of Current History, Finance and Commerce of China

by
C. F. REMER, M. A.,
Professor of Economics, St. John's University
and
H. F. MACNAIR, M. A.,
Professor of History, St. John's University

This outline, primarily for the use of middle schools and colleges, is based upon the Review for last week. It is not intended that the whole of the outline be used but that those topics be selected that are found to be adapted to the class.

1. International Affairs

Topic 1: The International Consortium.

References: Pp. 462-3.

Questions: 1: Why have we heard so little of late concerning the Consortium? 2. What reason is there why we hear of it just at present? 3. Who are to participate in it, supposedly? 4. For what sum are negotiations being made? 5. What proportion will go to the South? To the North? 6. Why has the Southern government a claim? Is it a legal claim? 7. What are the expenses of the Peking government for a month? 8. Why is there an apparent lack of unity among the participants in the Consortium? 9. What is the attitude of China?

Topic 2: Viscount Uchida's speech at the opening of the Diet

References: Pp. 463-4

Questions: 1. Who is Viscount Uchida, and of what importance is one of his speeches? 2. What are the two words that sum up Japan's greatest problems of the present day? 3. How does the handling of one of these problems affect the other? 4. What is the present state of affairs in Siberia and of what is the meaning of the word "Mission" when used by Viscount Uchida?

Topic 3: Admiral Gleaves and the U. S. Asiatic Fleet

References: Pp. 467-8-470.

Questions: 1. Into how many parts is the American navy at present divided? 2. How many American Admirals are there at present? 3. Is it of any importance that one of them is stationed in the Far East? Explain carefully. 4. Is the Asiatic Fleet large in proportion to its importance?

2. National Affairs

Topic 1: The Boycott, and Agitation over Shantung

References: Pp. 461-2,464-7,476, 479,495,496.

Questions: 1. What reasons are there for protesting against both direct negotiation and reference of the Shantung question to the League of Nations? 2. What should be done? 3. What are the arguments given by the "Nine Influential Organizations" of Shanghai regarding the Boycott? 4. How has General Yang I-teh distinguished himself in this matter? 5. What happened in Tientsin the last week in January? 6. Will a compromise settle this matter? Why?

Topic 2: Chinese Women and Parliament

Reference: P. 492

Questions: 1. In which Parliament have women demanded representation? 2. Name two Western countries where women have held seats in the Legislative body. 3. Why do Chinese women wish seats in Parliament? 4. In what way are Chinese women divided in this article? 5. Suggested topic for a class debate: Resolved: That Women should hold seats in Parliament.

Topic 3: Chinese Aeronautics

References: Pp. 470-2

Questions: 1. What is the meaning of the word Aeronautics? 2. Who is the Chinese director of this department for the gov't? 3. What are his qualifications for this office? 4. How long will it take to travel from Peking to Shanghai by air route? 5. Locate the places named for stops on the Rome to Tokio flight. 6. Is the life insurance question of any importance in the encouragement of this work in China? 7. What are the characteristics of the Chinese people that fit them for this work? 8. Make a list of uses to which aeroplanes can be put in China.

3. Commerce and Finance

Topic 1: Infringement of Trade Marks.

References: Pp. 496-500.

Questions: 1. What is meant by "infringement" as the word is used in this article? 2. What manner of infringement is the chief one dealt with? 3. We are told "that there can be no trade mark right in the mere form, size or color of an article." Does this seem to you to be reasonable? Why? 4. We are told that something useful in itself is not reasonable? Why? 5. What are the facts in the case of "Mount Vernon Rye" whisky? 6. What was the decision? 7. Does it seem to you just? 8. What is the difference between Japanese law and the common law on the subject infringement? 9. Explain the phrase, "it is necessary to prove intent."

Topic. 2: Prohibition in America.

References: Pp. 488-9.

Questions: 1. What is meant by prohibition? 2. Why is there any connection between prohibition and industry? 3. What has been the effect of prohibition on the number of prisoners in the work house in Cincinnati; upon the number of arrests in Detroit; in Cleveland? 4. From what is wine made in China? 5. It has been said that the Chinese should favor prohibition because their chief food, grain, is made into wine and so it may be said; less wine, more food. What do you think of this argument?

Topic 3. Chinese Laborers from France

References: P. 478, a single item.

Questions: 1. What attempt is being made by the Y. M. C. A., to deal with the laborers who have returned from France? 2. Do you know of any other attempts? 3 Write a paper upon the subject, "The Use of the Chinese Laborers who Have Returned from France."

Topic 4. Fur

References: P. 504.

Questions: 1. What city is said to be the largest fur market in the world? 2. In what city in the Far East do Funsten Brothers and Company have an office? 3. What city in China is the largest exporter of furs? (See any good geography or the China Year Book, 1919), 4. What parts of China produce large quantities of fur? Explain why!

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Far Eastern American Bar Association

The President's Annual Report

FOREWORD

BY T. R. JERNIGAN*

The Far Eastern American Bar Association was organized two years ago last December and there has been an increase of membership during each of the succeeding years. Every American lawyer in China is now a member, and the Association is represented in the Philippines, Japan and Siam. The last annual meeting of the Association was held as usual in the rooms of the United States Court for China, with its President, Judge Lobingier, in the chair.

The Judge had only recently returned from a visit to the United States, and while there represented the Association at the annual meeting of the American Bar Association at Boston. The report submitted by him at the end of the fifth year of an Association, whose creation and life are in great part due to his never failing interest and encouragement, was not only interesting in the statements as to what he saw and did but especially important at this time in the advice offered China in the formative period of her history.

It will doubtless be a source of pleasure to every member of the Association to read, in the report of its President, that it now has a sure place in the great organized fraternity of American lawyers, and that its representatives, altho from far distant lands, are received as defenders of the same system of justice and principles of representative government which have given the government and courts of the home country the first place among the nations of the world.

It appears from the report that of late years the meetings of the American Bar Association have been favored by the presence of distinguished members of the English Bar and that the bond of affiliation between the legal profession of the old and new countries has become closer with the years. At the meeting in Boston the former Lord Chancellor Finlay of Great Britain, and Justice Riddell of the Ontario Supreme Court were present. In 1895 Sir Frederick Pollock was the guest of the home Association, in 1896 Lord Chief Justice Russell, and Lord Haldane in 1913. The address by Lord Finlay, at the Boston meeting, was happy and pleasing in its conception of the mutual responsibility of British and American lawyers to cherish and preserve the common law of England as the great heritage of their race. Both branches, Lord Finlay said, were "proud of its traditions and the spirit of liberty which it breeds, and we in England are proud of the development which it has received in the United States." It is such sentiments that bridge the separation, which the politician would sometimes cause, between the two branches of that great race, and prove that, altho divided as the waves, it is united as the sea.

The address of Justice Riddell was exhaustive in its treatment of the judiciary and the administration of justice in the Province of Ontario. The Justice did not forget to say what the people of Ontario thought of the jury system and his opinion on the subject was quite emphatic in opposition, as was that of his people He referred to the surprise of the French-Canadians

* Dean of the American Bar in Shanghai.

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when they understood that a common sense people like their British fellow colonists preferred to leave their legal rights to the determination of men who did not know the law than to men with legal training. Lord Finlay took a more humorous view of trial by jury and said in his address, that "some cases can only be decided by tossing up, and that it is more decent that a jury should toss up than a judge." There would seem to be more opposition to trial by jury in the United States than in England, and this may be because Coke, Blackstone and other text writers on the common law have instilled into the mind of the English law student that it was the safeguard of the personal rights of Englishmen. But Macaulay writes, in his history, that the state trials in the English Courts before the revolution surpassed in injustice any known to the annals of the world.

There are other subjects especially concerning American business men in China which the Judge has timely brought to their attention, and as near officially as the circumstances would admit. It is known that a bill is pending in Congress, to provide for the incorporation of companies to engage in business in China. It has been feared, however, that the same is too lengthy and complicated to receive early attention. The Bar Association wisely adopted its President's recommendation to indorse a brief, simple measure making only a few essential changes in the existing corporation act of Congress. It is gratifying to note that the American Chamber of Commerce has followed the Bar Association and the American Association in this indorsement, for the subject is just now of unusual importance. Heretofore, as a matter of business convenience, some Americans have incorporated under the laws of the British Colony of Hongkong, which immediately gives a foreign court jurisdiction of their business, and this has been going on for many years. The British Government has recently made an order that the management of all companies incorporated under British law shall be by a British subject, so that a British Court may have jurisdiction of the management as well as the business. And an order of that character need not be understood as invidious or selfish, but rather as intended to prevent the logical object of British corporation laws from being practically defeated. For similar reasons American business and its management should be under American jurisdiction and the shortest way to that result should be adopted at once.

In order that the United States Court for China should have definite rules to guide with certainty proceedings before it the Judge has for some time been engaged in preparing such rules and has invited the members of his Bar to assist in their preparation. His report reminds us that few have responded; but it may be stated in extenuation that the Bar's confidence in Judge Lobingier's ability is so unfailing that not one ever doubted that the product would prove more satisfactory if the task were left to the Judge alone.

The report calls attention to the importance of reciprocity in the right of lawyers to appear in foreign and native courts. Not very long ago when a foreign lawyer attended the session of a native court, to watch the proceedings of a case which concerned his client, his presence was objected to by members of the native bar who threatened to put their objection in the form of a resolution. And it is not unreasonable to infer that if there were no foreign court in China the foreign lawyer would very probably

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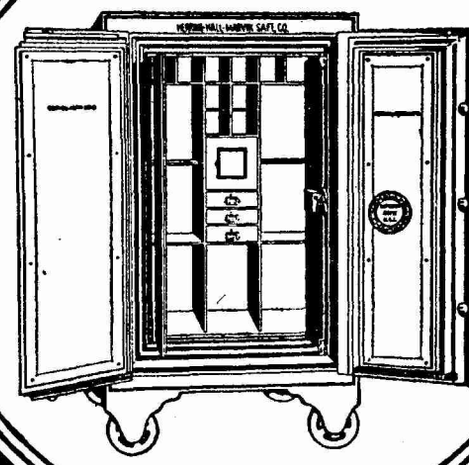

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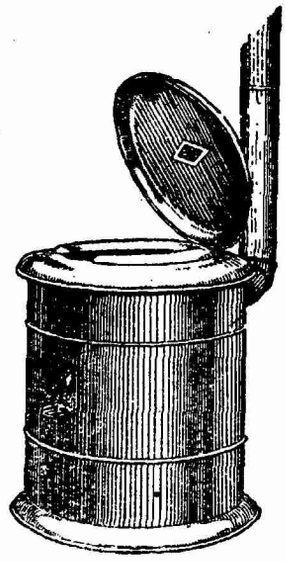

struggle in vain for a living. An exchange of views on the subject, as the Judge advises, would prove of great practical advantage to Chinese lawyers.

Events are pressing China to remodel her courts to conform to modern judicial stardards and it would be advisable for her lawyers to think seriously of the truth emphasized by Judge Lobingier in his report, viz., that China has a native law which can, and should, be improved upon and by no means be discarded as worthless material. When William the Conqueror occupied England he supplanted the native customs with those of Normandy; but as soon as the natives recovered their liberties they restored their old customs and these form the basis of the Anglo-American Common Law. So in the rules and regulations of her guilds may be found the nucleus of a system of commercial law for China. As I have elsewhere said:

> "The rules of a guild are read in the courts of China as if they were a part of the statutory law. With reference to questions before the court such rules determine the decision of the court as if conclusive on the law relating thereto. The status in court of a member of a guild is more assured than that of one who is not a member. Often questions relating to commerce which come before a court are referred to a guild for settlement, and invariably the report of the guild is accepted as final." [1]

And commercial customs are but a part of those which may be utilized in building the new jurisprudence of China.

The Report.

Gentlemen of the Association:

The close of the fifth year of our Association's existence finds it enjoying a normal state of prosperity. There have been some valuable additions to our membership during the past year, every American lawyer in China is now a member, and we have representatives in the Philippines, Japan and Siam, while some who were formerly active members here have since returned to the United States where they continue as associate members.

1. China in Law and Commerce (1905) 219.

RELATIONS WITH THE NATIONAL ASSOCIATION

At each annual meeting of the American Bar Association since ours was organized it has been represented by a duly accredited and recognized delegate. This year, as in 1915 and 1917, this privilege fell to me and I had additional evidence therefrom of the value of our connection with the national body. I only hope that more of our active members may avail themselves of the opportunity of thus attending so that we may be able to send our full quota of three delegates instead of one.

This year two of our associate members were in attendance-Ex-Governor Newton W. Gilbert of the Philippines, now practicing in New York, and Professor Ernest B. Conant, now of Washington University Law School, St. Louis. There were also present some distinguished friends of our Association. Judge Elbert H. Gary of New York, whose visit to the Far East some three years ago is everywhere so pleasantly remembered, gave one of the principal addresses at the Boston Convention, his theme being "Reconstruction and Readjustment." Mr. C. A. Severance of St. Paul, a former President of the American Bar Association, who also visited the Far East in 1916 and was entertained by this Association, was Chairman of the Reception Committee at Boston and likewise presided at one of the meetings. Incidentally he helped to arrange a luncheon at the Union Club at which members of the Federal judiciary attending the convention were guests. It seemed a fortunate coincidence that later at Washington I found one day, in the Federal Supreme Court Room, Judge Gary following the argument of a case in which his company was interested and in which the counsel included Mr. Severance and Mr. David Reed of Pittsburg who was likewise entertained by our Association in 1915—three who, we hope, are all planning some day to return.

THE NEW CONSTITUTION

The meeting of the American Bar Association this year was important because of the adoption of a new constitution which had been drafted by members of the Executive Committee and occasioned considerable debate. It effected numerous alterations of the old, mainly in the direction of greater uniformity, but no change was made in Art. XI. which is the only one directly affecting this Association and which reads as follows:

> "The word 'state,' whenever used in this Constitution, shall be deemed to comprise state, territory, the District of Columbia or any insular or other possession of the United States and places over which the United States exercises extra-territorial jurisdiction."

This, however, must be read in the light of the interpretative resolution adopted by the American Bar Association at its Salt Lake meeting of 1915. The minutes of the Executive Committee, where said resolution originated, were as follows:

> "August 17, 1915.
>
> A meeting of the Executive Committee was held in the Presidential Suite, Hotel Utah, Tuesday, August 17, 1915, at 12:45 p. m.
>
> Present: Messrs. Staake, Niblack, Brown, Burgess and Whitelock.
>
> In the absence of the President, Judge Staake presided.
>
> On motion of Mr. Niblack, duly seconded, it was unanimously resolved that the members of the American Bar Association, resident in the Philippine Islands and those resident in China (being within the extraterritorial jurisdiction of the United States Court for China) be entitled to elect a Local Council, including Vice-President, and to be accredited to the Philippines and China.
>
> George Whitelock,
> Secretary."

In view of the comparatively small membership in this part of the world this generous concession, which gave these two regions a representation equal to that of New York with its thousand or more members, is a valuable one indeed and care should be taken that there be no lack of appreciation.

While the Philippines have a much smaller membership in the American Bar Association than China, it has been usual for the delegate from this Association to suggest an equal division of the district representation. That plan was followed this year, the member of the General Council, being selected from China, Eugene A. Perkins, Esq., of Manila being chosen Vice President for the Far Eastern district, Messrs. Holcomb of Shanghai and Allen of Peking as China representatives on the Local Council and Messrs. Delgado and Manley as those from the Philippines.

DISTINGUISHED VISITORS

The Boston meeting was also made notable by the presence of former Lord Chancellor Finlay of Great Britain and Mr. Justice Riddel of the Supreme Court of Ontario. There was of course nothing unprecedented in this for, to mention only a few, Sir Frederick Pollock was the Association's guest in 1895, Lord Chief Justice Russell in 1896 and Lord Haldane in 1913. But Lord Finlay's addresses were distinguished for their familiarity with, and appreciation of, American law. In one of them he said:

> "It is, indeed, a great heritage, that of the common law of England, to which we of both sides of the Atlantic have fallen heir. You, like ourselves, are proud of its traditions and of the spirit of liberty which it breeds; and we in England are proud of the development which it has received in the United States.
>
> The recent war has given a signal illustration of what international law owes to the Supreme Court of the United States. It was by that Court that the doctrine of Continuous Voyages in its application to contraband and blockade was worked out at the time of your Civil War on the lines originally traced by Lord Story in another connection. These decisions of the Supreme Court formed the subject of a great deal of controversy, but after the lapse of more than half a century and the experience of this last war, I think we may say that the doctrine there laid down has been finally established as part of the International Law of the world. * *
>
> The relations between the judiciary bench in England and the judiciary bench in America have ever been most cordial and we recognize to the full the assistance which reference to American decisions in the illustration of points of difficulty has afforded—the decisions of your great judges, among whom I may venture to mention only two, that great chief of your Supreme Court, Chief Justice Marshall, and Mr. Justice Story, whose commentaries are appealed to wherever English law prevails. I may say the same thing of the relations of the bars of the two countries. I was still a young man at the bar when Mr. Benjamin came to England, and at once attained the highest position in the profession. I had the privilege of being present at the dinner given him before he left us. All rejoiced at his success, and it never evoked the slightest shade of envy among those of his seniors at the English bar whom he had passed in the race. The bar is, indeed, the most generous of all professions. * *
>
> Will you allow me once more to express my sense of your kindness in inviting me to take part in this conference of the American Bar? I value it as a pledge of the bond of our common profession. We are two nations now linked, and I hope indissolubly linked, in friendship. Our profession is one, whether it be followed in America or in England; and I trust the members of the profession in either country will be ever animated towards one another by those feelings which such gatherings as this are so eminently qualified to foster." [2]

Justice Riddel, in describing the courts of Ontario had the following to say of the jury which should be of special interest in this jurisdiction:

> "Our people in Ontario have, through a course of evolution, come to the view that, after all, a jury is not necessary in most cases; they have come very much to the mind of the French-Canadians, who, shortly after the conquest by the British of our beautiful country in 1750-60, were never tired of expressing their wonder that their businesslike, common-sense, fellow-colonist, the Englishman, preferred to leave his rights to the determination of tailors and shoemakers rather than to that of his judges.
>
> Even if a case is tried by a jury, in not one case in ten—I am quite within the mark—is the jury allowed to give a general verdict. What we do is this: We write out questions for them to answer in writing, as to the facts upon which we conceive the determination of the action will rest. * *
>
> The percentage of cases tried by a jury is constantly diminishing—the last time I had occasion to look into the matter at all closely, I found that about 20 per cent were so tried in the Supreme Court, about 15 per cent in the County Court and not one-fifth of one per cent in the Division Court. * *
>
> The saving of time—and wind—is enormous. The opening and closing speeches of counsel to the jury and the charge of the judge are done away with; in argument there are very few judges who care to be addressed like a public meeting and quite as few who are influenced by mere oratory—all indeed must *ex officio* be patient with the tedious and suffer fools gladly. Vehement assertion, gross personal attacks on witnesses or parties, invective, appeal to the lower part of our nature, are all at a discount; and in most cases justice is better attained, rights according to law are better ensured. Moreover during the course of a trial a very great deal of time is not uncommonly wasted in petty objections to evidence, in dwelling upon minor and almost irrelevant matters which may influence the jury, wearisome cross-examination and reiteration, etc., all of which are minimised before a judge." [3]

LEGISLATION

For most of our people in this part of the world Congress is the sole legislature and its acts, in so far as applicable here, should be the special study of our members. Moreover this Association would seem to be the logical one to consider and propose needed legislative changes and, with the aid of organizations like the American Association and the American Chamber of Commerce of China, to labor for their adoption. For some time past a bill has been pending in both houses of Congress "to promote the efficiency of the United States Court for China." It passed. the

2. Boston Transcript, September 3, 1919, p. 11.

3. American Bar Assoc. Journal, V, 651,652.

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Senate once and has been favorably recommended by the House Committee on Foreign Affairs; but the enormous volume and importance of legislation growing out of the war has prevented the consideration of ordinary measures. Meanwhile it has been deemed advisable to incorporate into other and routine measures the more urgent features of the bill referred to and to that end much of my time was devoted during my recent stay in Washington when, in connection with it, I was again invited to appear before the last named committee.

For similar reasons, doubtless, the new bill [4] for Federal incorporation, which members of this Association assisted in revising, and which was introduced in the House of Representatives on July 11, last has not made the hoped for progress. Under date of November 4 I have a letter from Former Consul General Denby, whose interest in the measure is well known, to the effect that the full House Judiciary Committee had not yet considered it. In conference with Mr. Denby in Washington I suggested the simplification of the bill to its lowest possible terms, taking advantage of the corporation act of Congress already applied here and adding only such features as are not contained therein and are deemed essential to its more effective local operation. For I believe all who have had the least experience in presenting proposed legislation will agree that every unnecessary section, line or even word, tends to jeopardize the success of the measure both by providing a ground for possible objections and by encouraging the legislative disinclination to consider long measures at a crowded session.

Mr. Denby also enclosed a copy of the Edge bill [5] providing for the incorporation of banks for international and foreign business, which may possibly be the one mentioned in the press despatches of Dec. 26, 1919 as having been signed by the President.

The inadequacy (due apparently to a clerical error in drafting) of the penalty provided by the Act of Congress of 1887, prohibiting the importation of opium into China, has been the subject both of comment and recommendation on the part of our Courts [6]; but unfortunately no remedy has yet been forthcoming. I suggest it as a worthy and urgent subject for this Association's attention. Now that the central government of China has taken measures to protect its nationals from the ravages of this destructive drug, and the International Anti-Opium Association, with its largely Chinese membership, has secured recognition from the Peace Conference, our authorities must be given every facility to assist this laudable undertaking and to render violations of this law by an American citizen so dangerous as never to be attempted. To be hampered in such a purpose by a defective law is neither encouraging nor creditable to our legislation.

PROCEDURE BY COURT RULES

The American Bar Association, as well as the American Judicature Society, stands behind the movement for restricting to the courts the formulation of procedural rules. In the Federal tribunals this function has always been exercised for equity cases by the Supreme Court. But in actions at law a statute [7] requires the inferior courts to follow the practice of the state wherein they sit. This renders uniform procedure impossible and subjects each of such courts to the caprices of each state legislature with all the attendant evils of legislated procedure of which it has been well said:

> "It violates the fundamental principle of separation of powers. It tends to restrict and belittle the courts. It hopelessly divides responsibility for administering justice. It makes courts dependent upon inexpertness in rule drafting. It exalts mere procedural rules to the realm of substantial rights, thus multiplying the number of issues to be tried, and making our litigation more and more an inquisition into non-essentials." [8]

For some time a bill to repeal said statute and leave the Supreme Court free to exercise its rule making authority in actions at law, has been pending before Congress. Thomas W. Shelton of Virginia is the special champion thereof but it has the support of the American Bar Association whose committee on Uniform Judicial Procedure reported at the Boston meeting substantial hope that the measure would soon be enacted.

In this jurisdiction, fortunately, no such legislation is required. We need only make use of the authority conferred upon the Judge of the United States Court for China "to modify and supplement said existing rules of procedure." [9] In my last annual address I called attention to the importance of this grant and at my suggestion committees were appointed—one on Pleading and another on Probate Rules—to assist the court in exercising it. Neither of these Committees has yet reported tho the time has been ample. Meanwhile I have continued independently the work of drafting and publishing tentatively such rules and am now well into the subject of Pleading; so that the first Committee's report, if it is to be serviceable, should soon be forthcoming.

And here I should not fail to mention, both by way of acknowledgement and as illustrating the value, already referred to, of our connection with

4. H. R. 7214, 66th Cong., 1st Session.
5. S. 2472 (Union Calendar 2472) Id.,
6. U. S. v. Beeks, U. S. Court for China, No. 472, Dec. 16, 1915; U. S. v. Biddle, No. 480; U. S. v. Woodward, No. 631; U. S. v. Wallace, No. 776.
7. U. S. Rev. Stats. sec. 914.
8. Journal of the American Judicature Society, I, 17.
9. Organic Act, 34 U. S. Stats, at Large, ch. 3924, sec. 5.

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the national association, the comment and suggestion upon such of our proposed rules as have been published, from our professional brethren in the homeland. I am under special obligations in this respect to Professor John B. Sanborn of the Wisconsin University Law School and long a member of the General Council of the American Bar Association who sent me an extensive review of my "Proposed Rules of Evidence." [10] Some comment has also been received from consuls and members of the bar in this jurisdiction but the local response has not yet been as general as I had hoped. Let me remind our members that the time for objections or suggestions regarding these rules is before, and not after, their promulgation.

OUR SPECIAL DUTY TO CHINA

I have been gratified, however, at the interest displayed by our Chinese friends in the drafting of these rules. Dr. Chung Hui Wang, Chairman of the Law Codification Commission at Peking, who has addressed this association, has frequently written me about them and I have gladly responded to his request to send him copies of all drafts with permission to use them in his work when the subject of procedure should be reached.

For I hold that the foreign courts and lawyers in China owe it to her and her people to assist them in all real efforts to improve their laws and institutions; and I believe that the American Courts and the American Bar here may and should provide object lessons for our Chinese friends in the task of rebuilding their institutions from the ground up. Instead of aloofness, therefore, I would welcome cooperation and I have long since proposed, thru the American Legation at Peking, a plan by which the lawyers of each nationality could appear in the courts of the other. Chinese lawyers could thus observe American law in actual operation and learn it by contact while American lawyers would be able to render substantial aid to the Chinese courts in their initial workings.

No field offers opportunities for such aid like that of procedure; for there is the strongest side of our law especially in its rules of evidence. As Wigmore [11] well says,

> "It is not the jury but the privilege of cross-examination which is the greatest contribution of English law."

A passage in Lord Finlay's recent address [12] well illustrates the high place which orderly procedure and due process of law have ever held in the Anglo-American system:

> "At Boston one's memory is naturally carried back to one who was at once a great statesman and a great lawyer. I refer to John Adams. It is well nigh one hundred and fifty years ago that certain incidents occurred at Boston which led to the trial of the young officer, Captain Preston, and six soldiers on the capital charge of firing on the crowd.
>
> These events are notable in themselves for they played no small part in the history of that struggle on which both countries can now look back without a trace of bitterness. That struggle ended in the establishment of your mighty Republic, which in the war just closed has joined in the most gigantic contest which the world has ever seen—this time in alliance with England and in defence of the liberties of the whole human race, which have now been so triumphantly vindicated.
>
> These events are also memorable to us for another reason —they illustrate the innate fairness of the English-speaking race in the administration of justice and afford a splendid example of the professional honor of the bar under the most trying circumstances. I venture to quote from the great historian of the eighteenth century:
>
> 'Captain Preston very judiciously applied to John Adams, who was rapidly rising to the first place both among the lawyers and the popular patriots of Boston, to undertake his defence. Adams knew well how much he was risking by espousing so unpopular a cause; but he also knew his professional duty. * * *
>
> 'In conjunction with Josiah Quincy, a young lawyer who was also of the patriotic party, he undertook the invidious task, and he discharged it with consummate ability. * * * Judges, counsel and jurymen acted bravely and honorably.' [13]
>
> That trial and its result in favor of the accused, at a time when passion and prejudice ran high, will ever form a monument to the sense of justice of the race to which we of both nations are proud to belong, and of the high standard of professional honor which has characterized, and will ever characterize, the bar of the two countries."

Another tribute to American law comes from an unexpected source. A pamphlet containing these passages was distributed at the Boston meeting by the party mentioned therein:

> "Dr. Rokuichiro Masujima of the Japanese Bar, Barrister at Law of the Middle Temple and Honorary member of the New York State Bar Association, is convinced that Anglo-American jurisprudence is the most scientifically practical system of law and judicial administration; that it is the only system which can educate and raise practical lawyers and men of broad mind and sound judgment for the conduct of modern democratic affairs; and that it is the most powerful organ of social and political progress in the world. * * Progress in judicial administration in Japan during the last twenty-five years has been very slow. No principles of equity, no satisfactory rules of pleading or evidence, are known to Japanese law. The Japanese written constitution has not yet been fully applied in accordance with the democratic principles laid down by his Imperial Majesty, the late Emperor who granted it.

To render these priceless principles of our law available to the Chinese in this formative period of their new juridical experience; to aid them in all real endeavors to bring order out of chaos; and to assist them in avoiding the pitfalls into which other nations have fallen when making the momentous change from one legal system to another, is a task worthy of a world jurist, but one to which each of us may contribute something, and for which all should be ready.

Probably the greatest present need in this direction in China is a legal survey. For China is far

10. Published in the American Bar Association Journal, IV, 218—242.
11. Evidence.
12. Boston Transcript, September 3, 1919, p. 11.
13. Lecky, England in the Eighteenth, Century, Ch. XI.

from being without a native law even now. But that law is customary and diversified. Like the prevailing language) while its general principles are the same in all parts, there are local variations, from province to province and even from district to district. The fundamental preliminary task would seem to be reduction of this customary law to written, or at least accessible, form, retention of what is common and suitable and repeal of the rest. For surely it is not the part of wisdom to destroy ruthlessly a legal system which has endured for ages and become the woof and warp of a great people's industrial and social life. The Chinese law reformers may well reflect on the motto of the Spanish Justinian—Alfonso the Learned—"A despot uproots the tree; a wise ruler prunes the branches." [14] Nor is it ever safe to borrow indiscriminately the entire legal system of another people. In both the uprooting and the borrowing a careful discrimination is absolutely essential, if the best results are to be attained. The good must be minutely separated from the bad and to accomplish this as regards the old system a legal survey is indispensible.

I know that some of our members have already done something toward such a great achievement and I hope that all may interest themselves in the task; for it seems to me to offer a rare opportunity for our association to achieve something both constructive and enduring. American missionaries have labored for all but a century to quicken the spiritual life of China. American educators were ready to enter the breach to replace the obsolete Chinese examination system when it was overthrown. The American physician has rendered incalculable service here from the days when Dr. Peter Parker "opened China at the point of the lancet" and American philanthrophy is now preparing for medical education on a colossal scale. So the American engineer has placed his technical knowledge, and skill at China's disposal, as the Hwai river project and the reports of Paul Page Whitham and others will testify. But the contribution of the American bar has yet to be made and the opportunity for making it may not be of long duration.

Fortunately there are signs of an unusual interest in China among our countrymen at the present time. This, it may be, is largely due to recent political events in, and relating to, this country. But even if it be no more than a passing fancy we should seek to translate it into a lasting sentiment which will lead to an intelligent study of China's problems and a deep and abiding purpose to give her substantial aid in the critical and, let us hope, formative period of her new life.

CHARLES. S. LOBINGIER,
President.

January 12, 1920.

14. Siete Partidas.

News from North China

China has turned down the application of Afghanistan for the conclusion of a commercial treaty owing to the unsettled condition in that country.

J. B. Powell, manager and editor of *Millard's Review*, (Shanghai), is now in Peking on a business trip. He arrived from Shanghai in the Chinese Capital on Tuesday.

Mr. Lampson, British Acting High Commissioner in Siberia, has returned to Peking on a brief visit. The date of his departure from the Chinese Capital is uncertain.

A delegation from the Chinese residents in the Dutch East Indies have arrived in Peking to petition the government regarding the revision of the commercial treaty between Holland and China.

Colonel Young, Acting Director-General of the Kailan Mining Administration, has been confined to his home in Tientsin for several days with an attack of the influenza. He is reported to be doing well.

The Aeronautic Department in Peking has selected six students to be sent to England to pursue higher studies in aviation. As soon as shipping accomodation can be found for them, they will leave for England.

Chin Wei-wen, a wealthy tea merchant of Anhwei, has applied to the Ministry of Agriculture and Commerce for permission to organize a tea industrial bank in Shanghai, Peking and Anking with a capital of $5,000,000.

The Ministry of Finance has decided to issue the Treasury bonds for the payment of the officials' salaries and register them so that they are not transferable. A time limit of one year will be set for the redemption of the bonds.

Owing to the increasing number of motor cycles in the Chinese Capital the Police have decided to collect license duty on these vehicles. A monthly license duty of three dollars will be collected for motor cycles without side-cars.

The Peking government has been informed by Dr. W.W. Yen, former Chinese Minister to Germany, who is now in Denmark, stating that the German government is about to send four delegates, to China to negotiate a commercial treaty.

Sir John Jordan will attend a farewell dinner on next Saturday, February 14, to be given in his honor by the Tientsin Chamber of Commerce. Sir John is booked to sail for England by the *P. O.* s. s. *Kashmir* from Shanghai on March 6.

A report is circulated in Peking to the effect that Dr. G. E. Morrison, political adviser to the Chinese government, is now ill in London and may not be able to resume his work, and that his successor will likely be J. Barton, of the British legation in Peking.

Fu Tseng-hsiang, former Minister of Education, has been appointed by the government to mediate between the Tientsin authorities and merchants, in an endeavor to settle the present situation by compromise. The students and teachers have elected delegates to confer with him.

A thousand Chinese students while parading the streets and lecturing the public on why China should not begin negotiations with Japan, were arrested in consequence of their attempt to stop the motor car in which was riding Ma Lung-piao, Military Inspector-general of Peking.

The Ministry of Education has issued an order that all the Tientsin government schools be immediately closed for the New Year vacation, the length of which is not stated, in order to avoid trouble with the students. Practically all the schools in Tientsin have consequently been closed.

General Hsu Shu-cheng, is popularly known as "Little Hsu" and En Hua, returned to Peking from Urga on Saturday morning, after having made necessary arrangements for the administration of Mongolian affairs. In the afternoon of the same day, they were received by the President in audience.

This evening there will be a fancy dress carnival for children at the Y. M. C. A., skating rink. All children up to sixteen years of age who skate are invited to be present. Prizes will be awarded for the prettiest and for the most original costumes for both boys and girls. Races and games will be arranged.

The Tientsin branch of the Commercial-Industrial Bank was opened yesterday. It was inspected by many local residents at the invitation of its president

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Dr. John C. Ferguson, adviser to the government, gave in the British Legation Theatre last Saturday afternoon, the first of several lectures to be given by him under the auspices of the School of Painting and Design of the Peking Institute of Fine Arts. His first lecture was on "Culture, the Basis of Chinese Art."

The Board of Directors of the Anti-opium Association in Peking gave a farewell dinner to Sir John Jordan, British Minister, at the Wagons Lits Hotel last evening. This was one of the largest and most representative gatherings of foreigners and Chinese, ever held in Peking. The Anglo-American Association are giving a dinner in honor of Sir John in the same hotel on Wednesday next.

As a result of a special meeting this week, the members of the faculty of the Nankai College in Tientsin, tendered their resignation as a body, protesting against the unlawful and inhuman suppression of patriotic demonstrations and work of the people. They made a declaration in the Chinese papers in which they set forth the reasons for taking this drastic action.

Seventy-five Chinese and foreign delegates of the Methodist Program Statement Conference were taken through the grounds of the British legation last Saturday where the points of interest in connection with the Boxer siege of 1900, were explained by Dr. W. T. Hobart, who was through the siege in Peking, and has been in the local Methodist mission for over 37 years.

Mrs. Richetts of 22 Gordon Road, Tientsin, was hostess to the Tientsin Women's Social Service Club members on February 3. The business meeting included a discussion of just what kind of social service the club ladies should undertake during the winter months. The program also included a discussion by Mrs. R. Kitching on foreign interior decorations.

Yang Shao-lin, director of the Tientsin Chamber of Commerce and representative in that body of the Tientsin grain dealers, has been in Peking endeavoring to obtain permission from the government to ship Kiangsu rice to Tientsin. On account of the opposition of the Kiangsu Chamber of Commerce to export rice, the government has refused to issue the desired permit.

The Ministry of Finance has received a communication from Mr. Eggling, former manager of the Deutsche-Asiatic Bank in Peking, stating that he has been authorized to look after the interests of the Bank. He was the man whom the Chinese authorities tried to intern during the war, but he was nowhere to be found. Later it was learned that he disguised himself so well that he stayed all the time either in Peking or Peitaiho undiscovered.

It is reported that a movement is afoot to carry out a reorganization scheme in the Ministry of Foreign affairs. The proposal is that different departments should be established to deal with questions relating to Great Britain, France, Italy, Japan, Germany, and America. It is claimed that if each country's affairs are dealt with by a special department, it will greatly aid and facilitate the settlement of diplomatic questions.

For the purpose of preserving public peace in Chihli the Central government has approved the petition of General Tsao Kun, and Tsao Jui, Military and Civil Governors of Chihli, respectively,

to proclaim martial law whenever they see fit to do so. It is believed that martial law will shortly be proclaimed in Tientsin. The provincial authorities, after its proclamation, may treat those students who go against their wishes as "tufeis."

A most impressive funeral procession took place on Monday morning, when the remains of the late Acting President Feng Kwo-chang were removed from his private residence in Peking to the Chienmen railway station to be entrained and conveyed to Hochien, his native place, in Chihli. The procession, which was about three quarters of a mile long passed through the principal streets and finally stopped at the Peking-Hankow Railway station outside Chienmen. All the officials participated in the funeral procession.

The Harvard Club of North China held its annual meeting on last Saturday evening at the residence of R. A. Burr. The following members were present: Willing Spencer, Dr. W. S. New, F. S. Chien, Luther Jee, Dr. Chuan, Dr. Liu, R. S. Greene, C. C. Batchelder, L. M. Perrin, A. B. Dorman, Ray Atherton, R. A. Burr, Breece, and Dr. Howard. In addition to covering the routine business, the meeting served as an informal reception to Messrs. Batchelder and Atherton, Acting Commercial Attache and the Second Secretary, of the American legation respectively.

Peking, February 7, 1920.

News from Central China

The Government Wireless Station at Wuchang was opened for public correspondence on February 1. Through this wireless service messages can be sent to Shanghai and Peking direct, the charge being twenty cents per word.

It is stated that the Ministry of the Interior is to appoint an extra vice-admiral to be in charge of the water police of the Yangtze Valley. This water police commissioner of the Yangtze is to control the whole of the Yangtze Valley.

It is stated that the brick tea exported from Hankow to foreign countries in 1919 amounted to 65,245 piculs valued at $4,710,000. All this amount was manufactured by brick tea factories at Hankow, although the tea came from different places.

A meeting of the Union Church Literary Guild was held in the Church Hall on February 6, when J. C. Hutson, American Vice-consul at Hankow, opened the discussion on "Is Syndicalism a Partial Explanation of the Present Industrial Unrest."

Robert W. Johnson, manager of the British Cigarette Company's factory at Hankow, died at the International Hospital here from pneumonia following influenza on February 2. Formerly he was a resident in Shanghai and just returned from England in December.

At a recent meeting held at the Hankow Race Club, it was decided by the Americans in Hankow that a ball and supper will be given on the eve of the anniversary of the birth of George Washington, Saturday, February 21. As many invitations as possible are to be extended to the Hankow community.

Military preparations are in progress at Changsha at present against an invasion by some southern leaders, and a reign of terror prevails at Changsha. This state of affairs has been brought by the rumor that southern generals in western Hunan are mobilizing their forces to oust General Chang from Changsha.

The revival of opium cultivation has made great progress in the inland province of Kweichow. The provincial government encourages this traffic and levies heavy taxes on it in order to meet the various military expenses. As a result the cereal crops of the province have been replaced by poppy with consequent advances in prices of cereals.

The disbandment of superfluous troops in Hupeh has been begun by the military governor by granting the disbanded men another three months' pay from the provincial treasury. Most of them are natives of Shantung, Honan and Chihli. Large numbers of disbanded soldiers from Hunan are passing through Hankow on their way to the north.

Mrs. Shen Pei-Ching is interesting herself in promoting an association to be known as the World Reunion with headquarters to be established in Shanghai. She interviewed this week the foreign consular officials and other prominent Chinese in Hankow and presented to them the prospectus. This organization, according to the prospectus, will work to promote close and sympathetic relationship among the peoples of the world and will cooperate with different nationals, men and women, for this cause.

The Educational Bureau of Anking has opened a school of Chinese national phonetic script for the sixty districts in Anhwei province with a view to preparing same as an educational instrumentality in the future. Another school of French has also been opened with a course in French and rudimentary sciences preparatory to going abroad to France to pursue higher education.

The fleet of motor boats of the Engineering Department of Jardine, Matheson and Company, Shanghai, succeeded in making the 600 mile trip up river against a strong current running down the Yangtse and without any trouble at any part of the voyage. It is estimated that these motor boats can make two trips per month between Shanghai and Hankow, while the Chinese boats carrying salt between these ports make only about three trips a year. These motor boats left for Ichang on February 1, to make an experimental trip in the shallow water up river.

The Changsha Native Goods Promoting Association was trespassed by two Japanese merchants last month who unlocked and ransacked by force the warehouse without any cause or provocation. They took away with them $200 worth of Japanese goods that were detained by the association. Feeling is high in Changsha, and Chinese merchants are petitioning the Commissioner of Foreign Affairs at Changsha for redress, adding that unless a strong protest is lodged in the Japanese consulate the presence of Japanese business men in Changsha will endanger the property of the Chinese.

The problem of rebuilding the native city of Hankow seems to be resurrected at present as there is news in circulation here and Tientsin that negotiation for a foreign loan with the Samuel and Company will be renewed. Inquiry at the Hupeh Industrial Bureau elicits that there is no truth in this and that the governors of Hupeh will very likely disapprove a scheme to rebuild Hankow along modern lines because the whole of it, destroyed in 1911 Revolution, has been completely rebuilt already on the old lines. It is admitted, however, that there is a possibility in developing a Greater Hankow in the northern suburb.

A Chinese Returned Laborers Association has been inaugurated in Hankow under the auspices of the Industrial Department of the Chinese Y. M. C. A. This association is to look after the interests of the returned laborers from France in the cities of Hankow, Wuchang and Hanyang, that are mostly unemployed. These well trained laborers are going to return to their old forms of living and thinking, as many instances indicate, unless something is done to place them in places where the training they received abroad will be utilized to the best advantage. The local Y.M.C.A. Industrial Department is working

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hard in this direction, and meetings are scheduled when useful lectures will be given to these laborers.

With regard to the poppy seed, amounting to 10,000 catties, which was delivered in Changsha to be distributed for planting in Eastern Hunan in the Liling region, investigations, according to information reaching the International Anti-opium Association, are being made to ascertain the extent to which the seed has been accepted and planted. It appears that General Wang Chan-yuan of Hupeh delayed the transmission of the bags which were sealed and labelled "Medicine" for a period of about twenty days, so that the seed did not arrive there until about the first of the year. It is believed that the season is now too far advanced for the sowing of this crop, which should have been in the ground some time in November. General Wang is said to have allowed the passage of the consignment through Wuchang only after he had ascertained that the seeds were cooked and therefore worthless.

Hankow, February 7, 1920.

News From Honan

About 12,000,000 catties (Chin) of cotton is produced in Honan Province annually.

Four silkworm feeding offices will be established in the four "tao" of this province.

A telegram was sent out by the Kaifeng Student's Union on January 26, strongly opposing direct negotiation with the Japanese government with regard to the Shantung questions.

After the investigation made by the Provincial Educational inspectors, teachers of the High Primary Schools in Taikang were dismissed, only teachers of last term being allowed to teach in the school next year.

T. J. K.

Taikang, Honan, February 4, 1920.

News from South China

Dr. and Mrs. Paul J. Todd of the Kung Yee Hospital expect to leave Canton for America next July.

C. Q. Wong, and Gett Wong, two well-known young Chinese merchants of New York, returned to Canton last week. They are connected with the Soy Kee Company, a leading firm in the Chinatown of that city.

Dr. and Mrs. J. L. Harvey of the J. G. Kerr Hospital for the Insane, will be transferred to Lienchow up the North River. Dr. and Mrs. Harvey are connected with the American Presbyterian Mission and have been in Canton since 1915.

The Canton Branch of the Kwangtung Students Union has just been formed, the organization meetings having been held on the afternoon of January 26, at the Government Law School. The Union in Canton will be officered by a Board of Directors of Seven.

At a recent meeting of the Women's Union in Canton, one of the leaders, Dr. Ng Chi-moy raised the question of qualifications for membership in the Union. She argued that the good name of the organization must be considered, that a concubine should not be admitted.

The *Oi Rwok Po*, one of the many verancular papers in Canton, has suspended publication on account of financial troubles. The *Kung Ho Pao*, which was suppressed by the military authorities during the students strike, has now reappeared by permission of the Police Commissioner.

With a view to improve the production of raw silk, the officials of Canton intend to establish an institution to do research work in silkworms. The fact that the output of raw silk is declining is entirely due to faulty method in nourishing the silk worms, the officials now also realize.

Dr. J. W. Jamieson, C. M. G., H. B. M., Consul-General at Canton has returned, after an absence of several months, during which he was in charge of the British Consulate-General in Shanghai. During his absence, from Canton, his place was filled by C. F. Gastin, one time commanding a Chinese Labor Corps in France.

The magistrate of Hok Shan District has lately led a company of his guards to different places in his jurisdiction to destroy the opium poppies growing there. After completing the eradication he went directly to the mountains between Hok Shan and Ku Ming Districts to attack and arrest the bandits in those places.

Word has qeen received that Ying Lam Lee, sometime secretary of the Canton Y. M. C. A., now studying in America, expects to be back at Canton, the coming summer and to re-enter the Association service. Mr. Lee, as secretary of the Eastanian, is doing much to enlighten the Americans regarding the Shantung Question.

The Canton Charitable Associations gave last week for the first time in its history a dinner party commenorating its twenty-one founders. The Military Governor, the Civil Governor, besides representatives of other organs, were invited. Memorial Tablets of the founders were solemnly affixed on walls of the precinct of the Charitable Association. A theatrical performance was held after dinner to entertain the guests.

The Tung Tsai Commercial College of Peking will hold an examination for new students in Canton, the arrangements being in charge of Li Pak-yin. president of the Kwangtung Educational Association. The college at first decided not to have local examinations for Cantonese students, but was persuaded to the present arrangement by Cantonese in Peking.

Judge Peter Hing, chief promoter, and Y. M. Chu, assistant engineer of the Canton Tramway Company, have gone to Canada and the United States on business in connection with the Company. T. T. Cheng, former president of the Industrial and Commercial Bank of Hongkong and H. L. Yung are going also to the United States purely on their private business.

A large number of well-known Cantonese and distinguished officials left Hongkong by the *S. S. Empress of Asia* last Thursday, January 22, for Shanghai and America. Dr. C. T. Wang, Chinese Peace Delegate, recently returned from Europe, after paying visits to Canton and that colony, was on board this steamer for Shanghai, accompanied by Captain Tsao and W. J. Chien, private secretary to Dr. Wang.

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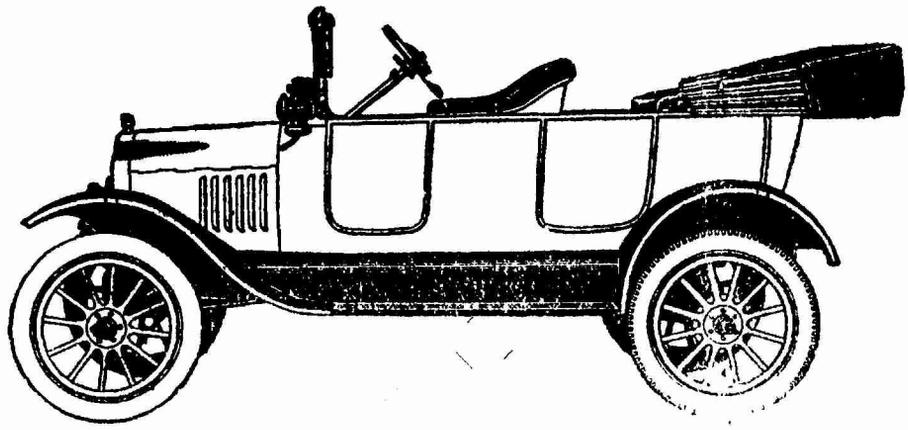

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Dr. Wu Ting-fang, accompanied by Wu Shan, Acting Minister of Justice of the Military government, paid a visit to the model prison at East Suburb in Canton and distributed several hundred thick cotton coats to the inmates on January 24. The distinguished visitors were shown all over the place, by the chief warder, Li Hing Chun, who was complimented for the excellent condition of and improvements brought into the prison.

Boatmen who live near the West Canal, Canton, have petitioned both the Military and Civil Governors asking them to order the Canton Municipality not to fill up the canal for the proposed new road, giving their reason that more than ten thousand boatmen are earning their living by transferring goods from the canal to Sai Kwaan and the New City and, if the creek be filled up, they would not be able to earn their living.

As one of the means to prevent labor problems and to improve the livelihood of the poor classes, the National Christian Salvation Association, supported by General Niu Yung Chien and other prominent Christian leaders of Canton, has decided to undertake the establishment of a large factory and also to provide means by which young men may study and work at the same time. Most of the capital is expected to be raised abroad among the overseas Chinese.

On the evening of Jannary 24, an "economy dinner" was held at the Canton Y. M. C. A., for the purpose of encouraging personal thrift among its members. The dinner only cost thirty cents a plate. Subjects relating to household economic independence, the personal budget and ways to save money were discussed by well-known economists among the Canton circle. Shen Hong-shan, former chief of the Educational Bureau in Chekiang gave a talk also on his experience in vegetarianism.

The silk filatures of Yungkei and Taileong in Shuntak district were visited by the upper class students of the Canton Commercial Institute of the Y. M. C. A., in an inspection tour conducted by Yick Lung. In one of the large filatures visited by the students six hundred women workers were engaged in the industry. There are about one hundred and fifty filatures operating in Shuntak this year, which exceed by almost fifty per cent those of two years ago. During the war some had to cease operation for lack of demands on shipping facilities.

Since the arrival at Chin Shan of Major Lo Yiu Shan, who was sent by the Canton Military Governor to order the Portuguese to cease work along the tide flats of Green Island, the Portuguese attempted to deceive the Major by ceasing work during the day, but began at night from seven o'clock till morning. The tide flat is divided into six sections to be filled, and several hundred workmen are being employed. The Portuguese are erecting barracks along the new bund of Green Island. The Major has again notified the Portuguese to cease work both day and night. At present the Military government and the Portuguese Consulate-General at Canton are holding conversations over the matter.

H. W.

Canton, January 29, 1920.

Who's Who in China

Wong Kai-wen
Grand Master of Ceremonies of the Presidential Palace
(黃開文)

Wong Kai-wen, Grand Master of Ceremonies of the Presidential Palace, is now fifty-four years of age. He was born at Chiao Ling Hsien, Kwangtung.

Mr. Wong came to North China for his education and joined the Tientsin Telegraph College, where he graduated. After his graduation, he joined the telegraph service. Gradually he worked his way up and became manager of telegraphs. For many years he held the position of telegraph manager in different provinces.

In the thirty-third year of Kwang Hsu, (1907) Mr. Wong was appointed by President Hsu Shih-chang, who was then Viceroy of Manchuria, to be Industrial Taotai of the Fengtien Province. In that capacity he introduced many industrial reforms. It was he who first suggested to the then Viceroy Hsu the importance of the promulgation of mining laws. As a result of his suggestion, Viceroy Hsu recommended to the Throne that mining laws be promulgated. In a few months the mining laws were published by Edict.

In 1909 Mr. Wong was appointed Managing Director of the Tao Ching Railway. In 1911 he became Taotai of Han Huang Teh Circuit of the Hupeh Province and concurrently acted as Superintendent of the Customs in Hankow. At the same time he was Director of Commercial and military affairs of Hupeh, and Director General of the Tung Cheng Railway. He held all these official posts until 1913.

In 1914 Mr. Wong was appointed Grand Master of Ceremonies of the President's Office to succeed Alfred Sze, who became Chinese Minister to the Court of St. James. Mr. Wong is still holding the position. He has served three Presidents with satisfaction, namely, President Yuan Shih-kai, President Li Yuan-hung and President Feng Kuo-chang. He is now serving the fourth President, Mr. Hsu Shih-chang.

Week's News Summary

CHINA

February 5. Dispatch from Chengtu states merchants and students have reached agreement that no Japanese goods will be handled after China New Year.

February 6. Peking Police free all but forty students taken in local riots.——Support of Chinese government guaranteed to all air organizations by Lieut. Commander Chu in Shanghai.

February 7. Dispatch from Peking says anti-student movement has been inaugurated by government at Japan's request.

February 10. Seven thousand shopkeepers and students parade in Shanghai as a protest against oppression of students by government and direct negotiations with Japan over Shantung.

February 11. All Chinese shops in the native city of Shanghai and part of those located in the French concession close their doors in protest against Peking and direct negotiations.

SIBERIA

February 5. Dispatch tells of clash of American troops with Semenoff's troops.

February 6. Allies ask for the release of Admiral Kolchak.——Soviet Army of Siberia said to oppose Japanese intervention.

February 7. Kolchak forces retake Irkutsk.

Frbruary 8. Bolshevists demand that China hand over the Russian consular staff, inaugurate post and telegraph service from Kobdo to Bolshevik Russia and permit the stationing of a Bolshevik commercial delegate at Sinkiang.

February 11. Official report received telling of the execution of Admiral Kolchak by revolutionaries at Irkutsk on February 7.

JAPAN

February 7. Epidemic of influenza said to be sweeping Japan.

February 8. Police reinforcements sent to Osaka to cope with strikers at Yawata Iron Works.

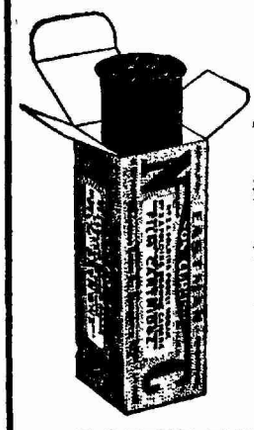
February 10. Yawata Iron Works strike settled.

GENERAL

February 5. Allies again ask Holland to produce the Kaiser using increased pressure.——President Wilson asks Congress to appropriate more funds for loans to Poland, Austria and Armenia.

February 6. Hawaii ask lift of ban on Chinese laborers.

February 7. German charge d'affaires returns Allied war felon list and resigns.——Sixteen persons hurt when fire sweeps Manila Carnival building, entailing a loss of more than one million pesos.



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SHANGHAI

February 8. Action of German charge d'affaires disavowed by German government which declares he will be punished for action.——United States House committee reports favorably on loans to Poland, Austria and Armenia.

February 9. U.S. House passes Appropriation Bill for the Navy totalling $89,439,000.——Second meeting of the League of Nations announced for February 11, in London with M. Leon Bourgeoise, presiding.

February 10. British officials hold reservations of American Senate to treaty of peace ineffective under international law.——Loan of £5.000,000 made to China by Great Britain, France, the United States and Japan.——U. S. will prosecute food profiteers.

February 11. Archduke Joseph of Austria demanded by Allies for crimes in war.——Carranza government in Mexico said to be encouraging a Bolshevist plan for that country.——Mobilisation Bill in Congress provides for total field army for U. S. of two million men.——Secretary of Agriculture Huston appointed Secretary of the Treasurer and Edwin T. Meredith of Des Moines, Iowa, appointed his successor.

Men and Events

F. H. Barber of Andersen, Meyer & Co., Shanghai, departed for Tsinanfu, Shangtung last week to be connected with the firm there.

Hsu Tsung-fan, secretary to Chu Ying Kwang, the Civil Governor of Shangtung, spent the first part of the week in Shanghai on official business.

John Gilliam of the British American Tobacco Co., Shanghai, left for Hankow on Monday, February 9, where he has been transferred.

Edgar M. Kitchin, Esquire of the District of Columbia Bar, has applied for admission to the Bar of the United States Court for China. He is a specialist in Patent Law.

Tang Shao-yi, Southern Peace delegate, has contributed $400 to the Timothy Richard Memorial Fund, according to an announcement made by the Christian Literature Society.

The official opening of the new premises of the Bank of Communications will be held on February 25, at No. 14 The Bund, Shanghai. Tea will be served from noon still 2 p. m.

Victor Haffbauer, formerly manager of the Boston firm of Fearon, Daniel & Co., recently arrived in China, where he will have charge of the wool department of their Tientsin office.

A meeting of the Quest Society was held on Monday afternoon, February 9, in the Royal Asiatic Society's Hall. A. J. Hughes, spoke on "Socialism and Government Ownership of Industries."

E. R. O'Brian of Fearon, Daniel & Co., returned to Shanghai last week from America. He has been transferred to the Tientsin office where he will have charge of the Sundry Import Department.

A reception in honor of C. T. Wang, Chinese delagate to the Peace Conference, was given by Yang Tcheng, Commissioner of Foreign Affairs, on Tuesday afternoon, February 10, at the Bureau of Foreign Affairs, Shanghai.

Stuart K. Lupton, formerly U. S. Consul at Bombay, arrived in Shanghai this week on his way to Chefoo, where he has been appointed American Consul. While in Shanghai he was the guest of Edwin S. Cunningham, U. S. Consul-General at Shanghai.

A reception to meet the Honorable C. T. Wang, former Chinese delegate at the Peace Conference at Paris, was held Tuesday afternoon, February 10, at the Bureau of Foreign Affairs, Shanghai, by Yang Tcheng, Special Envoy for Foreign Affairs. It was attended by Chinese and foreign officials and business men and other guests.

That the Japanese residents at Hongkong are buying considerable property, is shown by the fact that some of the most desirable sites, both for business and residential purposes is being purchased by the Japanese at Hongkong along the waterfront and Queen's road and also favorite locations on the Peak residence section, according to reports.

Captain Alessandro Delpiano, general inspector of the Rome-Tokyo flight, gave a dinner in honor of Lieut. Comm. Chu and Major Pao, the mission to welcome the Italian flyers in Shanghai, at the Astor House Hotel, Thursday night, February 12. It was attended by Chinese and foreign officials, officers and directors of the Aero Club of Shanghai, and members of the press.

A meeting of the Advertising Club of China was held on Wednesday evening, February 11, at 8.45 o'clock p. m. at the Chinese Y. M. C. A. The subject for the program was "Posters," and was discussed by A. C. Row and C. F. Lin. In addition P. S. Chow and S. P. Westaway talked on "The Three Ideas I would use for Wall Calendars or Novelties for the North China Trade."

"The Nanyang Student," a publication issued by the Nanyang Students' Association of the Government Institute of Technology, Shanghai, has just been issued and contains some interesting articles by H.A. Vanderbeek, a member of the faculty, an article on "Personal Efficiency," by Peter S. Jowe and other interesting reading matter. The magazine is published part in English and part in Chinese.

While the eight preceding membership campaigns of the World's Chinese Students' Federation had distinctive merits of their own, the ninth campaign has broken the records of the past, both in the number of team captains and the results achieved in swelling the membership roll in the federation. The total result of the campaign represents 10,939 points, one point represents one dollar.

As a member of the General Council of the American Bar Association Judge Lobingier has just been advised of the death on January 8, of its Secretary, for the past decade, George Whitelock, Esquire, of Baltimore, Maryland. Mr. Whitelock was a brother-in-law of Edgar P. Allen of Peking, the two having married sisters. Mr. Whitelock has been succeeded as secretary by his former assistant, W. Thomas Kemp of Baltimore.

The Canadian residents in Shanghai have decided to form a club as a result of a meeting held on Friday afternoon, February 6, of Canadian representatives here. An Executive Committee composed of the following was elected: honorary president, Dr. J. W. Ross, Canadian Trade Commissioner; chairman, Dr. Donald MacGillivray, D. D., of the Christian Literature Society; vice-chairman, A. H. Tessier, passenger agent for the Canadian Pacific Ocean Services, Ltd.; and secretary, S. P. Westaway, of the Standard Oil Co.

Chang Men-yu has been nominated director of the new government mint at Shanghai, according to a Peking dispatch. The mint, it is understood, will be located in the Paoshan district, adjoining the International Settlement of Shanghai. Authorization has been given for the purchase of the site but no definite announcements have been made of the obtaining of it. A temporary office has been opened at 8 Kuling Road, Shanghai. The nominated director was formerly managing director of the Shanghai-Nanking Railway, was educated at Yale and was the only Chinese to become a member of the Varsity crew.

The forty-eighth meeting of the Saturday Club was held at the Carlton Cafe, Wendesday, February 11, at 12 p. m. The Hon. C. T. Wang, delegate for China at the Peace Conference at Versailles, was chairman of the meeting and also delivered a short address. Capt. E. B. Chaffee of the American Red Cross Mission to Palestine, spoke on the subject, "With the American Red Cross in Jerusalem." Lt. Allan A. Hunter also of the American Red Cross in Palestine spoke on "Arabia, the New Nation." There was a large attendance.

Giving Shanghai its first bit of real American vaudeville, the Julian Eltinge Company opened a three week engagement at the Olympic Theater, Shanghai, last Monday night. Eltinge gives a series of feminine impersonations for which he has become world famous, Leo Beers, a Ziegfield Follies and Orpheum circuit star, entertains at the piano, Cleo Gascogne presents pleasing vocal numbers and a sprightly chorus and Bert Ford and Pauline Price on the tight wire, add humor and color to the production. The world tour which the company is making is Eltinge's farewell to the stage.

The hope that the spirit which dominated the American army during the war would be given to the young men of China by association with the ex-service men who are now coming into the nation was the dominant note of the talk of Dr. C. T. Wang, peace delegate for China to the Versailles Conference, before the monthly tiffin of the American Ex-Service Club of China at the Carlton Cafe last Monday. Dr. Tong Shao-yi spoke of the work of Herbert Hoover in China and gave reminisences of his association with the former United States Food Administrator during the Boxer Trouble. Captain E. P. Chaffee and Lieut. A. A. Hunter of the American Red Cross Mission to Palestine spoke on their experiences.

At the fifth annual meeting of the graduates of Columbia University in Shanghai, on Thursday evening, February 5, more than 40 men and women were present. Tang Shao-yi of the class of 1883 is the oldest alumnus and presided over the meeting. Mrs. H. C. Mei had charge of the program of college songs. The officers for the current were elected and include, Dr. Y. Y. Tsu, chairman; Dr. H. C. Mei, vice-chairman; Rev. H. K. Wright, secretary; and Dr H. L. Huang, treasurer. Among those present at the meeting were: Mr. and Mrs F. H. Pott, Dr. and Mrs. J.C. McCracken, Dr. and Mrs. Fong Sec, Dr. and Mrs. F. Rawlinson, Mr. and Mrs. Guy C. Stockton. Mr. and Mrs. H. K. Wright, Rev. and Mrs. Espey, Dr. and Mrs. Mei, Mrs. D. K. Cheney, sister of Dean Lambert of the Columbia Medical School, the Misses Thomasson, Bailey, Eddy, Huie and Messrs. Kentwell, Nvi, and Calder.

"In order to encourage the observance of Arbor Day, and increase its significance throughout China, the College of Agriculture and Forestry of the University of Nanking has started a campaign among the lower government and mission schools for the development of school nurseries. To this end, they have issued a bulletin in both Chinese and English, giving detailed directions for school nursery work in North China, the Yangtze Valley and the Yangtze South. Nurseries may be one-half mou or one mou in size, containing six and ten tree species respectively and capable of producing from 16,000 to 32,000 young trees. Seeds are furnished at less than cost, at $1.00 and $2.00 plus postage, for the two sized nurseries. Each nursery contains one or more of the economic trees, such as the oil tree, vegetable tallow, etc. It is hoped that by the development of these school nurseries, in which the children will have to do all the work, interest in Arbor Day may not only be stimulated but that the students may come to understand better by what processes the huge reforestation problems of China must be carried out."

Summary of Activities of Navy Y. M. C. A. in January

Number of men in port		1300
American		100
British		100
French		250
Italian		50
American Merchant		200
Estimated attendance at Building		3000
American, Navy		2500
,, Merchant		100
British		50
French		250
Italian		100
Basket Ball games, (Pract. 15)		3
Number of games of pool		1800
,, small games		150
,, meals served		1441
Restaurant business		$ 903.30
Number of beds rented		859
Receipts ,, ,,		207.20
Number visits to ships		10
,, Bible classes (3) att.		28
,, Sailors Amer. Song Serv.		50
Home Entertainment, attend		25
"Y" At Home "Entertainment"		40
New Years Entertainment attendance		120
Boxing ,, ,,		150
St. John's Univ. Excursion		30

"Columbia Phonograph sent to;—U. S. S. Monocacy, Changhsa thence to Chungking for use in Cruise Rest House there.

500 hygiene tracts to "South Dakota" etc.

400 Magazines to ships

2500 sheets "Y" writing paper and eps. to ships.

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DOES your mirror reflect the charm of a perfect complexion, or does it tell all too plainly of the ill-effects worked by the vagaries of the weather?

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11-562

Note;—

850 American Sailors on U. S. S. "South Dakota," and 250 more on U. S. S. "Orleans" departed on or about January 7th.

American ships in port;—

"South Dakota, New Orleans, Wilmington, Villalobes. (Quiros 47 men arrived January 22nd.)

Merchant ships whose men visited "Y" building in month;—

Respectfully.
Wm. R. Durbin,
Gen. Secretary.

Dr. Joanna Smith, M. D., in China

Dr. Joanna Smith, M. D., the name being given merely as a collective designation for women physicians in general, would have an uphill road in America or Europe upon opening an office in her efforts to establish a practice. Women suffrage has gone far toward giving women a place in the business world but still the ancient precedents hold good in professional circles. But in China women physicians are acceptable. More than that they are in demand. In probably no other nation in the world have the M. Ds. of feminine sex reached such a position of prominence, service and actual worth as they have in the Republic of China. Backward as the nation may be held to be in other progressive movements, in this one it may be given recognition as being the world's foremost.

Circumstances and customs, it is true, have produced conditions which are peculiarly suited to the development of the field for women physicians in China. Foremost among these is the reticence of the Chinese woman to consult a male physician regarding her well being and thus the opening offered to Dr. Joanna Smith, M. D. There are others too involved and numerous to record. The success of the feminine doctor is notable and no better recognition can be cited than that many Chinese girls have taken up the study of medicine following in the foot steps of their foreign ideals.

Mrs. S. I. Woodbridge, M. D., brought to the attention of her hearers the facts concerning the ripe field for Chinese medical women in China of today in her address given at the Union Church on the afternoon of Monday, February 9. Mrs. Woodbridge, formerly Dr. Mary Newell, has been in China for the last fifteen years, having come out with the China Inland Mission. She spent five years in the interior studying mandarin and later was in charge of the Margaret Williamson Hospital, which at the present time accomodates about 400 patients on clinic day, and has fifteen Chinese nurses in training, with three doctors and a foreign nurse. Dr. Emily Garner has charge of the institution at the present time and was formerly associated with Dr. Elizabeth Reifsnyder, a pioneer woman physician in Shanghai, who is now in America for her health. Dr. Reifsynder has done much to break down the prejudice of medical women in China. The foreign Western trained Chinese medical women have been a great factor in also bringing about results in a spiritual way and this has led to a general state of enlightment and getting the gospel to the Chinese.

In Shanghai the St. Elizabeth's Hospital has a staff of one foreign doctor and trained nurse with a training school of 32 nurses. In 1919 there were 15,000 dispensary patients, 1,200 in-patients and 200 obstetric cases. More applications have been made to

the training school than could be accomodated. The Shantung Road Hospital has two trained nurses and in 1919 there were 15,000 dispensary patients, and 540 in-patients. In the Margaret Williamson Hospital there are three doctors, a foreign nurse and fifteen nurses in training. In 1919 there were 40,000 dispensary cases, 1,200 in-patients, and 500 obstetric cases. This hospital has the largest practice of any hospital in China. It is interesting to note then that in 1919 there were 70,000 dispensary patients, 3,240 in-patients and at the present time about 60 nurses in training in Shanghai, (Chinese women), and probably more than 15 graduate nurses doing actual work. During the term of nursing some of the women were expelled from the school and about ten of these women are now passing as Chinese women physicians in Shanghai with questionable results!

The following list contains some of the problems that have to be met: 1. Getting girls of better families and more education interested. 2. Awakening a surgical conscience. 3. Getting the nurses to feel a deep interest in the spiritual welfare of the patients. 4. Proper medical school in which to train them, etc.

One of the most prominent Chinese women doctors in China today is Dr. A. M. Wong, who is a graduate of the University of Toronto and has practiced about ten years in China. Dr. Wong has her office on Range Road and handles many cases, last year having more than 200 obstetric cases. The names of Dr. Margaret Polk, Dr. Anne Fearn, and Dr. Ellen Fullerton are well known among the Chinese and foreign community as having done influential work. Dr. Margaret Polk, who was really the founder of the Woman's Medical College at Soochow is now practising in Shanghai with an office on Range Road. Dr. Fearn, who was associated with Dr. Polk in Soochow, is now in charge of her sanitorium on Avenue Joffre, with a large practice among the foreign community, and Dr. Ellen Fullerton is at the head of the St. Elizabeth's Hospital, Shanghai. These women have all contributed their share of work and it is due to their efforts that the women of China have so readily responded to this call.

Need A Woman President

Lucy Page Gaston, Chicago, Ill., lifelong foe of the cigarette, on December 31, advanced the following reasons why she is seeking the Republican nomination for president:

1. She looks a great deal like Abraham Lincoln.
2. The men have made a good start in reforming America by abolishing the saloon, but it will take a woman to put the finishing touches on the moral uplift that is in sight.
3. She has no husband to worry about while she is presidenting.
4. The people of the United States are behind her in her "good morals" movement, which is the paramount issue of the day.
5. She is a campaigner with twenty years' experience.

Miss Gaston said she stood for a liberal foreign policy, but one that would in no way endanger American rights.

"I am a mild reservationist," she said.

The candidate passed out chocolate creams.—*The Kansas City Star (Kansas City).*

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Of Special Interest

A daughter, was born to Mr. and Mrs. J. W. Carney, on February 10, at Dr. Fearn's Sanitorium, Shanghai.

Mrs. Hollis A. Wilbur is having an "at home" at 4:30 o'clock on Monday afternoon, February 16, for Mrs. W. W. Lockwood and Mrs. Peter of Shanghai, at her home 124 Dixwell Road.

A winter conference for non-mission school students has been called by the Y.W.C.A., in Shanghai, for the training of girls in social service work during their vacation. The conference opened on Wednesday, February 11, at the Y. W. C. A., Physical Training School, Tongshan Road.

The members of the faculty of the McTyeire High School at No. 1 Edinburgh Road, Shanghai, were hosts to more than 100 alumnae, and their families at tea, on Saturday afternoon, February 7. A program of music and recitations was given. The High School will be closed for winter vacation on Friday, February 13.

Mrs. Arthur Rugh entertained at tea in honor of Mrs. Herbert Dennis of Foochow, on Saturday afternoon, February 7, at her home. Mrs. Dennis is at present in Shanghai on her way to America. Mr. Dennis contracted cholera last summer at Foochow, while doing relief work in connection with the epidemic, causing his death later.

A Valentine party is to be given at the home of Mr. and Mrs. F. J. Raven, 405 Avenue Joffre, Shanghai, by the American Song Service, on Saturday evening, February 14, at 8:30 p. m. An informal get-together is planned for the occassion. Games will be played and several musical numbers will be given as well as group singing, to be followed by refreshments. Each person attending is expected to bring a valentine of some description. There is no admission fee. Those persons planning to attend are asked to telephone W-648, W-1425, or W-169, of their intentions as a kindness to the committee.

A party of 20 men and women have chartered a special car for a sight-seeing trip to Peking during the Chinese New Year holidays. They are planning to leave Shanghai on Friday, February 13, at 7.55 a.m., and are expecting to return about February 28. Some of those included in the party are: Miss Mary

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McConnell, Miss Helen Hutson of West Gate, Miss Gertrude Wycoff, 179 N. Szechuen Road, Miss Mary Gold, a member of the faculty of St. John's University and some members of the Shanghai Baptist College.

Current Press Opinion on Far Eastern Affairs

Japanese Merchants to Revive Trade

From the "Shih Pao" (Chinese)

The Japanese merchants are reported to be devising plans to revive their trade in China. To our mind it is a sheer waste of energy since the moment Japan lets go her aggressive grip on Shantung, the boycott will die a natural death. However, many cases of friction have arisen in connection with the inspection of Japanese goods, which goes to show that Japanese goods are still to a notable extent holding the market and the situation of the Japanese merchant is not desperate after all. If the merchants could only bring themselves to take concerted action with the students, it may be taken for granted that the boycott will prove a very powerful factor towards the readjustment of the relations between China and Japan.

Present Currency Difficulties

From the "Shih Pao" (Chinese)

Since August of last year the Shanghai merchants have decided to regard the Chinese dollar as the standard currency in place of the Mexican dollar. A further step is under contemplation to put our currency on a uniform basis; that is doing away with the tael. It is reported that Peking will act upon the recommendation of the British Chamber of Commerce submitted through Sir John Jordan in the matter of overcoming the present currency difficulties; a mint will be established in Shanghai. We firmly hope that the new coins will be perfectly satisfactory in weight and in quality and pave the way for the unification of currency throughout the country.

Thrift is a Good Remedy

From the "Chung Hua Hsin Pao" (Chinese)

What is the new reconstructive program of France? It is hardly anything extraordinary. To increase her productive powers and to enforce rigidly the practice of thrift as a national virtue—this in a nutshell is the essence of the reconstructive program of a progressive nation which, to our mode of thinking, will launch out on an elaborate program of reform. The case is one with a moral attached to it. To fortify the national life of China or any other country simple remedies are by far the most effectual.

United Efforts will Gain Results

From the "Shih Pao" (Chinese)

A recent development which is looked upon as a healthy sign of national salvation is that the people have come to realise the importance and necessity of union. A number of new societies have sprung up for the purpose of achieving better results, by means of united efforts. Now, added to the list, is the Industrial and Commercial Cooperative Association. The end of the great war means the beginning of an industrial conflict and it is of supreme importance that this country should be abreast with the times in order to attempt to place her industries and commercial systems on a modern basis.

Japan in Siberia

From the "Chung Hua Hsin Pao" (Chinese)

The Japanese expedition to Siberia finds opposition in Japan itself, and this for two reasons: the Bolshevists are trying to secure the exclusive control of Siberia and they have no intention to declare war on Japan; Japan will have to bear all the consequences of the expedition once the Bolshevists have established exclusive control in Siberia, and this responsibility thrust on Japan is inconsistent with her avowed purpose of not entering into an earnest conflict with the Bolshevists. If the Japanese are thinking like this, why should the Chinese talk of joining the Japanese in a united expedition? However, Little Hsu is very active and is no doubt being used as a catspaw of the Japanese militarists.

Two Aspects of the Shangtung Case

From the "Shun Pao" (Chinese)

There are two aspects of the Shantung case which deserve special attention. We should leave the future to look after itself and be resolved to take our case into the court of the League of Nations, whatever may be the final outcome, remembering that it was because that we regarded the clauses in the Peace Treaty of Germany as obnoxiously unjust that we refused to sign the treaty and prefer rather to let the Japanese occupy Tsingtau by force of military pressure. The second aspect of the Shantung case is that we must not be influenced from the course we have chosen whether we are assured of much or little support from the friendly Powers, it being clear that our firm attitude is based on principles of international equity and the people will never withdraw their support as long as these principles are strictly insisted upon as a basis of declining direct negotiations. The case is one that should be handled without any vacillation otherwise the world will think little of China when she could not make an independent decision regarding her policy in a matter affecting her sovereign rights.

The Revival of Peace Negotiations

From the "Shun Pao" (Chinese)

Those who have returned from Europe have expressed the unanimous regret that the failure of the Domestic Peace Conference was one of the obstacles to diplomatic success. Now that the right course for China to take in her diplomatic relations (with Japan) has been plainly advocated by the whole nation, the talk of resuming peace negotiations is revived. We are not prepared, however, to take for granted that diplomatic considerations are entirely responsible for this sign of renewed efforts in securing the restoration of domestic peace. Furthermore, we are ready to predict that any eagerness for resumption of the Peace Conference will be shortlived, even if it has been inspired by the diplomatic problems confronting the country. Our conviction is based upon the selfish motives of our influential officials whose predominant policy is to promote their own interests at the expense of the welfare of the nation. That is why the cry of union among our official worthies at the beginning of the Peace Conference in Paris had evaporated after a demonstration of momentary enthusiasm.

Correspondence

What Chinese Men Should Do?

To The Editor, Millards Review:—

China was already a civilized nation while the other nations were still in the barbarous state, why do

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other nations struggle towards a state of enlightenment while China has no advance? Does providence preserve the others and extinguish our country? No, certainly not. Providence helps the men or the country which helps itself.

China's men, look upon our country. Why has our country made no advance? Is it railway industry, a navy, soldiers, finance, etc., that we want? Yes, these answers are quite right. But if a country has no faithful men to do something for their country, although it is prosperous yet is it in a very dangerous condition. From this point of view what shall we do for our beloved country?

Where are India, Egypt, Assyria and Babylonia? These four countries were the original contemporaries of China. We know that some of these were swallowed and dismembered by powerful nations. Why has China remained when all her contemporaries which were much stronger than she, have ceased to exist? It is evident that providence has bestowed favor upon us, and let us improve our country into a civilized nation in the eastern hemisphere.

Now, look upon our country again, how dangerous its condition is. A neighbor often troubles us. We are very sorry for our country. But why are we weak, ridiculous, and dangerous? The cause of this weakness and danger is that many of our Chinese men neglect their duty and fold their hands and look on.

Ladies and Gentlemen, do not be afraid to help your brothers and our beloved country. Washington was a common man, he was not a prince or a scion of a noble family; but it was he who established the civilized America. Liu Pang was a poor farmer who created the Han Dynasty, the proverb says, "where there is a will there is a way," so, let us be spirited men, and look upon our country and help her to reform. In this way, China and America shall become the two greatest republics in the whole world. By that time no one will dare to make illegal demands against us.

P. Y. CHANG

Trade Mark Protection in China

What Constitutes an Infringement

BY R. T. BRYAN, JR.

AN imitation trade mark is one which is made to appear like one with an established reputation or as Vice Chancellor Wood said: "In every case the court must ascertain whether the differences are made bona fide in order to distinguish the one article from them whether the resemblances and the differences are such as naturally arise from the necessity of the case, or whether, on the other hand, the differences are simply colorable." It is often hard to determine what is a colorable imitation. In the opinion of Vice Chancellor Wood from whom we have already quoted, he says: "Resemblance is a circumstance which is of primary importance for the court to consider, because if the court finds, as it almost invariably does find in such

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cases as this, that there is no reason for the resemblance, excepting for the purpose of misleading, it will infer that the resemblance is adopted for the purpose of misleading."

There is a great difference in opinion as to what constitutes a colorable imitation. This is due to the fact that different courts have adopted different standards as to the tendency of an alleged infringement to deceive the cautious, ordinary or unwary purchaser. Lord Westbury has said that it is not "necessary for relief in equity that proof should be given of persons having been actually deceived, and having bought goods with the defendant's mark under the belief that they were the manufacture of the plaintiffs, provided the court be satisfied that the resemblance is such as would be likely to cause the one mark to be mistaken for the other." It has been accordingly held that it is no defense that the purchasers have bought the infringing article with the knowledge that it was an imitation. There are many statements of the rule in question. The most universally quoted, however is that of Justice Hazel: "It is sufficient if the proofs show that the actual and probable result of the use of defendant's label will be to deceive the ordinary purchaser making purchases in the ordinary way."

Infringement Must be on Same Class of Goods

To constitute an infringement the alleged imitation trade mark must be used on goods of a similar character. The act of Congress of 1905 provides that the application for registration must state the particular goods or classes of goods in connection with which the applicant desires the trade mark to be registered. A similar provision exists in the English Patents, Designs and Trade Mark Act, 1883 to 1888. This is also true of Registration of Foreign Trade Marks at the Chinese Maritime Customs where no registration of a trade mark can be obtained unless it is for use on some specific class of goods. Aside from the statute law it is fundamental that a trade mark is valid only upon the particular class of goods upon which it is used. This rule is very well illustrated in a leading work. "Where the complainants used the words "Colling & Co.," upon metal articles of their manufacture, but did not manufacture shovels, the defendants, were enjoined from placing those words on shovels, they having exported shovels so marked to Australia, where the complainants marketed a portion of their output. In a recent case Judge Bradford said: "Pale ale and half-and-half must, as against an infringer of a trade-mark for the former, be treated as malt liquors substantially similar to each other and belonging to the same class. Courts should not be astute to recognize in favor of an infringer fine distinctions between different articles of merchandise of the same general nature, and should resolve against the wrong-doer any fair doubt whether the public may or may not be deceived through the application of the spurious symbol." Where the plaintiff was the manufacturer of "Omega Oil," a liniment extensively advertised as a remedy for skin and scalp diseases, a defendant who began to manufacture and sell a soap named "Omega Oil Medicated Soap," advertised by defendant as a remedy for diseases of the skin and scalp, an injunction was granted the plantiff on the authority of the "Lone Jack" case, Judge Blanchard saying that "The adoption of the words 'Omega Oil' by defendant was calculated to deceive the public into the belief that plaintiff's article was being put up for sale in another form, at least into the belief that the soap was placed on the market by plaintiff or by its consent."

It is the necessary converse of the rule under consideration that it is no defense to an action for trademark infringement that the defendant used the mark in application to another class of merchandise before the plaintiff began his use of the mark. Thus where a defendant had applied the word, "Epicure" to canned peaches and canned tomatoes, that fact did not avail as a defense, where the plaintiff was the first to apply the word to canned salmon, and the defendant afterwards began to apply it to canned salmon. In his opinion Judge Coxe observes: "The reasoning of some of the authorities would indicate that the defendants had a right to use the brand in connection with other fruit and vegetables, analogous to tomatoes and peaches, but to assert that they have the right to use it on all canned goods is carrying the doctrine far beyond any reported case. Beer and nails do not belong to the same class of merchandise because both are sold in kegs."

In a recent case in which the complainant's mark was applied to baking soda and saleratus, and the defendant's to baking powder, Judge Baker held the parties' goods to be in the same class because they were handled generally by the same class of dealers and purchased by the same class of customers; either is indifferently used to accomplish the same object; so that they come in direct competition with each other in sale and use. In that case the rule is announced that "goods are in the same class whenever the use of a given trademark or symbol on both would enable an unscrupulous dealer readily to palm off on the unsuspecting purchaser the goods of the infringer as the goods made by the owner of the trademark, or with authority and consent." "In the application of the rule, it has been held that the use of a red triangle on lager beer did not infringe the same device used as a trademark for ale. It has been held in the patent office that suspenders and hose-supporters are not goods of the same descriptive properties."

Infringement By Refilling Trademarked Packages

It is a fundamental principle that one will be restrained from using the empty trade marked packages of another for the purpose of selling his own goods. The courts have gone further than this and restrained a supplier who was furnishing the goods with the knowledge that they were to be used in refilling genuine trade marked packages. The refilling of genuine packages will be restrained even where the bottles which bear the name blown in the glass are used for another acticle other than the one constituting the alleged infringement. An injunction will issue even where the refilling was done at the request of the customer. Judge Thayer restrained a defendant from offering for sale an imitation of Hostetters' Bitters in Bulk with the advice to customers that they refill the original bottles with the imitation article.

The replacement of old parts of a trade marked article where the indentity of the goods are not charged has been held not to be a violation of the proprietors rights in the absence of fraud. The Massachusetts Supreme Court has refused to enjoin the manufacturer of stove castings used to replace worn parts on the original article. Where parts are manufactured and sold merely for the purpose of replacing worn parts of

the original article there is no duty on the part of the manufacturers to distinguish their parts from the original parts by advertisement.

Infringemeut by the use of a Different Word or Mark

It is a general rule that there may be an infringement even in the absence of an exact similarity of the two marks. Any trick or device that will permit one person to sell his goods as the goods of another will be restrained. We quote from a recognized authority on this point: "If the goods of a manufacturer have, from the mark or device he has used, become known in the market by a particular name, I think that the adoption by a rival trader of any mark which will cause his goods to bear the same name in the market may be as much a violation of the rights of that rival as the actual copy of his device." This dictum was elicited in a case where the plaintiff sold wines in casks stamped with the device of a crown and an eagle, and the initials "B. S." on the head of the cask, and a crown, the word "Seixo" and a date at the bung hole, from which the wine had acquired the name "Crown Seixo;" while the defendants sold wine in casks stamped on the head and at the bung hole with the device of a crown, the initials "C. B." the words 'Seixo de Cima, 'and figure "1861." The defendants were enjoined notwithstanding the fact that the marks were not similar.

Nick-names.—Where a commercial article has, fortuitously or otherwise, acquired a nick-name by which it is known and called for that nick-name will be protected in equity. Notwithstanding its proper designation, still if for some reason the general public has given to the product another and different name, by which it alone is known to the trade, the appellant (plaintiff) become entitled to protection by injunction against one who thereafter endeavors through the adoption of such term as the public employs as synonymous for or as a secondary designation of such product." The thing suggesting the nick-name need not be identical with plaintiff's mark.

Under this rule, plaintiffs who made a certain beer to which they applied the device of a bull-dog's head were granted an injunction against the use by competing dealers of a label similar in shape to the plaintiff's and bearing a terrier's head. There was no resemblance between the labels beyond the similarity in shape, but the plaintiff's beer had come to be known as "Dog's Head Beer," and the use of a dog's head upon similar merchandise by the defendants was manifestly for the purpose of passing off their beer as being the plaintiffs. It is self-evident that a trademark may be infringed by a mark entirely different, but suggesting to customers and the public the same word or idea. Thus when an English house had used in India a trademark for yarn which had led the natives to call for it as "Rue Hathi" (meaning Two Elephant") yarn, a competing firm was enjoined from exporting yarn to India under a trademark of which the principal feature was the representation of two elephants. On the same reasoning the word "Sportsman's" accompanied by a picture of two mounted huntsmen, used as a trademark for cherry brandy, was held to be infringed by the picture of a huntsman standing beside his horse, and the words "Huntsman's

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Cherry Brandy," where the proof showed that the plaintiffs' liquor had become known to the public as "The Hunter's Cherry Brandy."

'Judge Sanborn has well said that "every suit of this character is founded on the fact that the action, or the proposed action, of the defendant has deceived, or is calculated to deceive, ordinary purchasers buying with usual care, so that they have purchased, or will probably purchase, the goods of the defendant under the mistaken belief that they are those of the complainant." So that each case must turn upon the peculiar facts involved. Thus where a plaintiff had for some time manufactured tennis racquets uniformly stamped at a particular place upon the handle with the words "The Demon," and the defendant began to manufacture and sell racquets of a similar design, stamped, in the corresponding place upon the handle, with the word "Demotic," the use of the word "Demotic" was restrained. So the word "Curative," applied to soap, has been held to infringe the word "Cuticura," similarly applied; and a red Greek cross has been held to be infringed by a maltese cross with a red center, each being used as a mark upon medicinal plasters.'

'The degree of resemblance between pictorial marks necessary to establish infringement is illustrated by a case in which a picture of a rooster standing on the body of his dead adversary was held to infringe a representation of a chicken cock standing under the branch of an olive tree.'

An interesting example of this principle is two brands of cigarettes known as "Ruby Queen" and "Big Stamp." "Ruby Queen" is a very popular brand with the Chinese and has been nick named by them locally as Da Ing Bai, meaning British Brand although the characters Da Ing Bai do not appear on the packages themselves. On "Big Stamp" Packages are the Chinese Characters Dah Ying Poa which characters are a translation of the words "Big Stamp." The color and get up of the two packages are very similar. It is specifically stated, however, on "Big Stamp" packages by whom they are manufactured which manufacturer is other than the manufacturer of "Ruby Queen." A statement to the effect that Big Stamp cigarettes are made in China is also contained on the packages. It will be interesting to note what the outcome of this case would be if it ever came into court. The writer is of the opinion that "Big Stamp" is not an infringement of "Ruby Queen" and that an injunction would not issue.

Other instances in which the courts have either enjoined or refused to enjoin for the use of different words will be interesting as well as instructive and we accordingly set forth a few herewith :

The Trademark or Tradename	*Held to be infringed by*
Abacus	Arcade
Alba	Antique
American Girl	American Lady
Anvil	Anchor
Apollinaris	Apollinis
Auto	Auto-Noisette
Beaded	Nu-B-Ded
Black Diamond	Diamond Gem
Bovileme	Bovina
Burgress	Burgiss
Canadian Club Whiskey	Canadian Rye Whiskey
Cascarets	Cascara
Cascarets	Castorets
Cashmere Bouquet	Violets of Cashmere
Celluloid	Cellonite
Ceresota	Certosa
Ceresota	Cressota
Chartreuse	Chasseurs
Chatterbox	Chatterbook
Clerk's O. N. T.	Clark's N. E. W.
Cocoaine	Cocoine
Cocoatina	Cocaotine
Coe's Superphosphate of Lime	Andrew Coe's Superphosphate of Lime
Corona	Corinth
Cottolene	Cottoleo
Cottolene	Chefolene
Creamalt	Crown Malt
Cupola	Composite
Cyclops Machine Works	Cyclops Iron Works
Demon	Demotic

Mark	*Relief Refused as Against*
Coca-Cola	Koke
Colonel	Colonial
Cuticura	Cuticle
Don Carlos	Don Caesar
Everyday Soap	Everybody's Soap
Glacier	Glazine
Grape-nuts	Grain-Hearts
Hurricane	Tempest
Ivy	Ivory
Kelvindale	Kelvinside
Necco	Nawaco
New Departure	New Idea
Norub	Nodust
No-to-bac	Baco curo
One Night Cure	Beeshore One Night Cough Cure
Puddine	Pudding
Pyramid	Spiralette
Roof Leak	Never Leak
Sal-Vet	Sal Tone
Sappota Tolu	Elastic Tolu
S. B.	B. & S.
Shuron	Stay-on
Sozodont	Zodenta
Weber	Webster
Wincarnis	Nincalis
Yama-Mai	Ma-mie

Infringement by Use of Word with Variable Sound and Pronunciation

The owner of a valid trade mark is under all the authorities entitled to protection against one who uses a trade mark calculated to mislead the public. Thus the word "Iwanta" was enjoined because it expressed the same idea as "Uneeda" previously applied to

biscuits and in a later case where the owner of the mark "Yusea" sought to enjoin the use of the trade mark "U-C-A" Judge Hazel said, "The controlling contention in this action is whether the complainant, having a prior and exclusive right to the designation 'Yusea,' has thereby also obtained an exclusive right to the use of the various pronunciations and the complex words or syllabic formations to which this particular word is susceptible. A moment's reflection reveals the various pronunciations and composite words to which 'Yusea' may be adapted. A trademark which is variously pronounced and distorted to suit the purposes of trade and the fancies of the manufacturer in his endeavor to catch the public eye may yet be protected, within the fair and reasonable scope of a trademark, however artfully it may be conceived. It appears from the affidavits of complainant's manager and advertising agent, the person who conceived the word, that the common pronunciation by the trade in general is as if it were spelt 'You see a,' and that the mantles manufactured by complainant are commonly known as 'You-see-a mantles.' This is accentuated by the ordinary pronounciations that follow a casual observation of this complex word. The unique alterations in the pronunciations of the word must, I think, be regarded as incidental to its use. This perhaps enhances its value as an advertising medium. They do not change the registered designation, and the word 'Yusea' remains the dominating word in the trademark. **** The trademark, because of its variable sound and pronunciation, became more prominently known to the public, and thereby served the purpose for which it was conceived; i. e. to attract the attention of the public to the original conception."

We have seen that trade mark proprietors are entitled to protection against colorable imitations. A colorable imitation is any imitation that will deceive the ordinary purchaser buying with ordinary caution. The schemes and machinations of trade mark pirates are many but the principles of unfair competition are so pliant and flexible that practically every conceivable kind of fraud may be enjoined.

The Billion Dollar Silk Bill of the United States

THE people of the United States are buying silk manufactures at the rate of over a billion dollars a year. Never in the history of the American silk industry have the manufacturers been compelled to pay as high prices for raw silk from abroad, yet they have brought into the country in the year just ending more raw silk than in any preceding year. The value of the raw silk imported into the United States in the calendar year 1919 will, according to an estimate by the National City Bank of New York, probably exceed $300,000,000. Against $180,000,000 in 1918, $156,000,000 in the fiscal year 1917, and $120,000,000 in the fiscal year 1916, the first fiscal year in which it crossed the 100 million dollar line. These figures, it is proper to add, relate to "raw silk as reeled from the cocoons" and do not include "waste silk" which will probably add about $12,000,000 to the grand total. The quantity imported, even at the phenomenally high prices, is greater than in any earlier year. The price of raw silk imported is the "highest ever," averaging $8.42 per pound in October as against an average of $3.09 per pound in the fiscal year 1915.

This high record of raw silk importation, and also at high record prices, says the Bank's statement, probably means that the out turn of the silk factories of the United States in 1919 will approximate three-quarters of a billion dollars in value at the factory, as against one-quarter of a billion in the last census year, 1914. A comparison of the official figures of raw silk imports entering the United States in the census years with the census record of value of silk manufactures turned out in those years shows that the value of the output of the factories in 1914 and 1909 was in each about two and one-half times as much as the value of the raw silk imported. And with the present high price of labor and other requirements of the factory, it seems quite probable that the relation of raw silk used to the finished manufactures turned out will not differ radically from those of 1904 and 1909, that therefore the manufacturers valuation of the output of the silk factories of the United States in 1919 will be about two and one-half times as much as that of the raw silk imported, of about $750,000,000. In addition to this, the imports of silk manufactures from other countries will aggregate nearly $50,000,000, though against this the U. S. exported nearly $25,000,000 worth of the products of our silk factories. Even adding a reasonable allowance for the advance which the consumer pays over the valuation at the factories, it seems quite apparent that the people of the United States are paying "across the counter" in 1919 an aggregate value of over a billion dollars for the manufactured silks of all sorts which they are buying.

Where does this $300,000,000 worth of raw silk come from? Chiefly from Japan, China, and Italy. Japan alone has supplied in the ten months ending with October, $194,000,000 worth of raw silk out of the $251,000,000 worth imported in the ten months ending with October; China $45,000,000 worth; Italy $11,000,000; while the total from all other countries is less than $1,000,000 value. These figures relating to raw silk as "reeled from the cocoon" and not the "waste silk" above referred to.

Where does the $25,000,000 worth of domestic silk manufactures go? Everywhere. Of silk dress goods alone, the exports in the calendar year 1918, the latest for which detailed figures are available, went to more than 50 different countries and colonies, even including the great silk manufacturing countries of Great Britain and France, with comparatively small quantities to Italy, Japan, and China; while of silk wearing apparel the exports went to more than two-score countries. Canada was the largest purchaser of American silk dress goods with a total of nearly $7,487,000, Argentina $450,000; Mexico $353,000; Australia 313,000; Italy $236,000; Cuba $215,000; Great Britain $59,000; and France $30,000.

The United State's total exportation of silk manufacturers made from silk brought from opposite side of the globe amounted in a decade ago to less than $1,000,000 averaging to $2,000,000 in 1912, $5,250,000 in 1912, $5,250,000 in 1916, $7,250,000 in 1917, over $12,000 in the fiscal year 1918, and will, as above indicated, approximate $25,000,000 the calendar year 1919. These figures of silk manufactures exported do not include those of artificial silk which will amount to during the full calendar year 1919 nearly $10,000,000.

Villa Brothers' Weekly Silk Market Report

Demand for all sorts have been checked by the high exchange and unsettled condition of the New York stock exchange.

Tussah:—Stocks are well held and prices firm. Endeavors to get concessions before Chinese New Year have proved ineffective, there being no desire to dispose of their stocks unless full prices can be obtained.

Tussah Best.....Tls. 560
Market Chop..... „ 540

Tsatlee Improved Reel:—Market remains inactive and stock consists of a few hundred bales.

Best Chops .....Tls. 940
Market Chops..... „ 890

China Steam Filatures:—Business in New Season Silk checked by the advancing exchange and asking prices of Reelers.

Grand Extra Chops .....Tls. 1450
Extra Chops ..... „ 1400
Medium Chops ..... „ 1350

General:—A limited business has been done for Europe on the following basis.

New Style "Green Eagle 1-2".....Tls. 900
Tussah Native Extra-1..... „ 395

Commercial and Financial Notes

A new provision which prohibits the shipping of canned pineapples from Honolulu to the Pacific Coast of the United States on foreign vessels has gone into effect and it is said that losses of revenue are being felt particularly by Japanese shipping companies.

The Pacific Mail Steamship Company recently broke all port and coast records of San Francisco and the Pacific Coast by dispatching 27,600 measurement tons of cargo to the Orient in one day on the Shipping Board Vessels, *West Mingo*, *West Sequana* and *Haleakala* on January 8, according to the *San Francisco Journal of Commerce*.

One million dollars in gold of twenty dollar piece denomination was received by the Philippine National Bank from the Pacific Mail Steamship *Venezuela*, which arrived in Shanghai last Sunday. Two million, five hundred thousand dollars in gold coin is also enroute to Shanghai for the institution, according to a recent announcement.

The Earnshaw Slipways Company of Manila and the Honolulu Iron Works have merged their interests, according to a recent announcement. The capacity of the Earnshaw slipways at Manila will be increased and a dry dock capable of handling vessels up to 12,000 tons net built. Equipment and machinery for the new structures are being purchased in the United States.

The Honigsberg of North China has been incorporated in Manila, with an authorized capitalization of 300,000 pesos, to handle automobiles, trucks, accessories, machinery and other products, according to a recent report from Manila. C. H. French, treasurer of the Pacific Commercial Company, is treasurer of the new organization. The company is one of the first to be organized and authorized under the laws of the Philippine islands for activities in a foreign country.

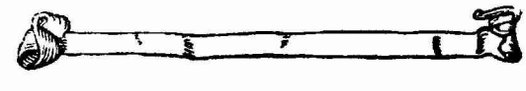
China carpet wools are being replaced somewhat on the American market by cheaper South American crossbreds, according to the *New York Journal of Commerce*. Buying for carpet manufacture is weak at the present and large quantites of wool have been shipped from all over the world to the market. This is said to be due to the high prices for the finished carpets which results not from an increased demand but from increased costs of production and a force curtailment of output.

The tenth annual general meeting of the shareholders of the Chempedak Rubber and Gambier Estate meeting was held at the offices of J. A. Wattie and Company, Shanghai, on Tuesday, February 10. The output for 1919 was reported as 138,592 pounds. The profit for the year was Tls. 1,720.60, as against a loss for the year previous. The election of W. B. O. Middleton, J. H. Osborne and K. H. Martin as directors was confirmed. A. J. Welch was reelected to the directorate and Lowe, Bingham and Matthews as auditors.

Allocation of about twelve small steamers for Oriental costal trade to the Pacific Mail Steamship Company by the Shipping Board is reported as coming, according to the *New York Journal of Commerce*. These vessels will be of 3,800 and 3,500 tons and will act as feeders along the China and Asiatic coast for the larger shipping Board vessels sailing from Hongkong, Shanghai and other Asiatic ports. These vessels will act in direct competition with Japanese and English vessels and will concentrate cargoes for the Shipping Board vessels regardless of the firms operating them.

The radio system of the United States Navy has been placed at the disposal of American business men for use during the break in cable communication of the Pacific Commercial Company, according to the *San Francisco Journal of Commerce*. A charge of seventy-five cents a word to Manila is being charged and the messages relayed by cable to China. It is expected that two months will be needed to repair the break in the cable which has occured in one of the deepest parts of the Pacific. A press service to Manila has also been inaugurated as a permanent part of the naval radio communication system.

The fifth annual general meeting of shareholders of the Yangtszepoo Cotton Mill Ltd., was held Thursday, February 5, 1920, at the offices of the general managers, Jardine, Matheson and Company, Ltd., Shanghai. A profit of Tls. 1,348,879.65 was reported by the secretary for the year past, being far in excess of any previous years. Of this amount Tls. 35,000 was appropriated for preference dividends, Tls. 700,000 for dividends on the ordinary shares—amounting to Tls. 3.50 a share, Tls. 210,000 to a reserve fund, Tls. 80,000 for machinery and smaller appropriations for other funds, including Tls. 35,000 for an employes bonus fund. The secretary announced that ordinary shares in the company had produced at an average dividend rate of 22 percent for five years. Sixty-one new looms and other machinery will be added to the plant. A consulting committee of five was elected. Lowe, Bingham and Matthews were reelected auditors at Tls. 1,250 a year.



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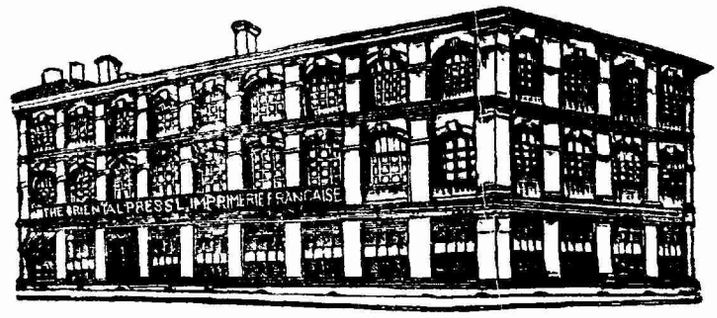

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New Books and Publications

Important New Work on the Orient

The New Map of Asia (1900-1919), by Herbert Adams Gibbons: New York, The Century Company, 1919.

THE New Map of Asia is one of a Trilogy by Professor Gibbons on the general subject of European expansion. The two others of the series are the New Map of Europe, and the New Map of Africa both of which have been well received by reviewers and readers. The Rev. Dr. Gibbons was for some years one of the faculty of Robert College, Constantinpole. While there he had the opportunity to make a somewhat exhaustive study of Near Eastern problems, especially those having to do directly with the Turkish Empire. Being a clergyman instead of a politician Dr. Gibbons is a little more frank in his criticisms of the policies of the Western Powers than the average writer, but being a trained historian in search of truth on disagreeable but important problems of world history he does not let his clerical conscience or humanitarian emotions distort his perspective—that is not to any great extent.

The book was written in Paris during the Peace Conference, "with the aim of presenting the principal facts and problems of Asiatic history since 1900 in so far as they are the result of or have been largely influenced by the maintenance and extension of European intervention." The foreword was written on June 28, 1919, the day that the Peace Treaty was signed at Versailles. The author holds what many have known but what has not been greatly discussed—that the war was the outgrowth of colonial rivalry. And what is now known to all that the Peace Congress was of the old-fashioned kind where each country took what it could and where idealism did not have many defenders. His work is incomplete because the scramble for colonial power and the desire to "expand" is not ended. "Cannons were booming to announce the end of the war and the birth of the League of Nations. But the war was not ended. The League of Nations was not born. The signers knew that the document over which they bent was not the chart of a durable world peace. That is why they were indifferent. Their apathy was communicated to us who looked on."

A general survey is given of the spread of western power based on force and not on justice throughout the spread of Asia especially during the last twenty years. We see how Siam has gradually been pared down, and spread of France in Annam and Tongking and her influence in China proper, how Russia has spread over northern and central Asia and until 1907 a powerful rival of England, Turkey as the football of the Power, the strangling of Persia by England and Russia, the Zionist question in Palestine, and the growth of the United States as a Colonial power. We are used to reading long descriptions of the material development of India under British rule, but here we find these developments placed in the same

category as the development in a material sense of the Japanese in Korea. The writer holds that the key to Great Britain's Asiatic policy for the past century has been the control of the approaches by land and water to India. Many incidents are cited—the placing of Egypt under a Protectorate, the Afghanistan question, the parti ion of Persia, expansion in Burma, the Young husband expedition into Thibet, the protection of the Turkish empire. In upholding his theory he does not depend of non-British writers, nor does he in his criticism of British rule in India. All of this makes one think that it is time for British Colonial apologist to get busy with the apologetical pen.

Most interesting of all to residents of China are the chapters on China and Japan. In dealing with these countries much attention is paid to the theory of European Eminent Domain. Japan is presented as the one Oriental nation that has successfully withstood the Europeans. The effect of this on the spread of nationalism in the orient is shown. Chapter XX—China Becomes a Republic, is a thoughtful and stimulating essay on the philosophy of Chinese history during the last century. There are slight inaccuracies as in the description of the assassin of Baron von Ketter as a Manchu official but these do not destory the value of the work as a whole.

H. F. M.

St. John's University, Shanghai.

At the Shanghai Hotels

The following guests have registed nt the Astor House Hotel during the week: C, H. Myers, Tientsin; E. F. Turner, London; W. Syons, London; D. C. McEwen, London; W. F. Barnes, Peking; W. B. Kamen, Peking; J. N. Joyner, Nanking; C. L. Cowady, Nanking; P. E. Green, Tientsin; Van Wink, London; F. S. Mosley, New York; Dr. J. Batcheor; H. C. Raider, Tientsin; V. O. Censter, Tientsin; Morgnlee, Polaud; Buron Lago, Poland; Cap. Grabowsk, Poland; L. Charles; N. Alexander; Dr. James Brodbeeker, Switzerland; Mrs. L. Brodbeeke, Switzerland; N. Sacks, Shanghai; Mr. and Mrs. Stevens, Tientsin; Mrs. E. Leitch, Tientsin; Mr. and Mrs. W. W. Fowler, Chicago; A. O. Even, Seattle; C. Greener; J. Bastevles; Maj. R. E. Graddard, London; A. M. Samuels, New York; P. Grodon, New York; R. Carter, New York; Leo. Beers, New York; Miss Carville, New York; M. Marivine, New York; J. Eltinge, New York; J. W. Barton, New York; E. B Williams; Mr. and Mrs. M. Whelan; H. S. DeVault, New York; E. H. DeVault, New York; H. P. Kirkland, Vancouver; J. F, Mason, San Francisco; A. Isarel, Shanghai; G. L Brennan, New York; B F. Reist, New York; A. H. Gordon, London; Mr. and Mrs. C. Martin, U. S. A.; V. P. Dawson; Capt. G. D. Jack, Tientsin; G. Holguson; G. Maro, Hankow; P. Muraour, Vladivostok; Capt. Chevenot Vladidostock; G. H. Gray, Los Angeles: Col, Pixton; S. M. Jeffery; W. P. Coomce, Yokohama; S. G. Wilcox; J. H. D. Jones,; C Gascogne, New York; M. Benne; P. Thebert.

The following guests have registered at the Grand Hotel Kalee during the week K. L. Murray, London; Mr. and Mrs. V. R. Savage, Chinkiang; G. P. Steinberg, Tientsin; H A. T. Roberts, Tientsin; Mrs. W. H. Clarke, New York; Dr. Elizabeth G. Beaty, U. S. A.; Miss Anna Grandin, U. S. A.; Mr. and Mrs. Charles Bates, Nagasaki; Dr. E. Evans Jones, Local; O. Wagman, Tiensin; H, Reeks, Tientsin; Mr. and Mrs. Baliff, *Marseilles; G Henry, Marseilles; S. Scher, Dairen;* Mr. and Mrs. F. E. Goldman; R. J. Corbett, Changsha; Mr. and Mrs. E. Ott, Kone; J. B. Loucks, New York; Mr. and Mrs. G. C. Simmons, U. S. A. Mrs. E. L. Hartoo, London; R. L. Harton, London; T. Monchen, Tsingtau; B. J. Stanfield, Local; C. Eckstein, Local; C. R. Slaughter, Local; H. A. Monro, London; Mrs. W. A. Martin, London; Master W. Martin, Nanking; Miss Ira Martin; D. David Bergstein, Peking Max D. Klein Yokohama;

The United States Court for China

(Established by Act of Congress of June 30, 1906)

JUDGE, Charles S. Lobingier.

DISTRICT ATTORNEY, Chauncey P. Holcomb.

MARSHAL, COMMISSIONER, DISBURSING OFFICER, } Nelson E. Lurton.

CLERK, James P. Connolly.

REPORTER, DEPUTY CLERK, } Bernyece H. Smith.

DEPUTY MARSHAL, Neville Craig.

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TIENTSIN:

DEPUTY CLERK, Harry A. Lucker.

DEPUTY MARSHAL, William T. Collins.

All Notices, Announcements, Judgments, Orders and other Proceedings appearing in this department of MILLARD'S REVIEW may be accepted as authentic.

Minutes of Recent Proceedings.

Miscellaneous Filings

February 5, 1920; Cause No. 771; In re Last Will and Testament of Charles A. Swanstrom, deceased; inventory.

" 5, " Cause No. 933; Fung Yu Liu v. James Murphy; petition.

" 6, " Cause No. 933; Fung Yu Liu v. James Murphy; summons.

" 6, " Cause No. 912; George E. Young v. The Barkley Co. Inc., subpoena.

" 7, " Cause No. 698; In re Last Will and Testament of Hans Jensen Von Qualen, deceased; report.

" 7, " Cause No. 926; In re Last Will and Testament of Charles L. Ogilvie, deceased; petition, depositions; inventory.

" 7, " Cause No. 699; In re Last Wil; and Testament of John A. Bell, deceased; account.

" 7, " Cause No. 930; In re Last Will and Testament of Elmer F. Shanstrom, deceased; inventory.

" 9, " Cause No. 915; Shin Zae Chang & Co. v. Arkell & Douglas; answer.

" 9, " Cause No. 912; George E. Young v. The Barkley Co. Inc.; subpoena.

" 9, " Cause No. 934; In re Guardianship of Robert Arnold Dennis, Margaret Linn Dennis and Herbert Beebe Dennis; petition.

" 9, " Cause No. 926; In re Last Will and Testament of Charles L. Ogilvie, deceased; letters testamentary.

February 10, 1920; In re application of Edgar M. Kitchin, Esquire, for admission to the Bar; petition; report of committee.

" 10, " Cause No. 934; In re Guardianship of Dennis minors; bond.

" 10, " Cause No. 905; Lee Ah King v. The Barkley Co. Inc. demurrer.

" 10, " Cause No. 923; George E. Young v. The Barkley Co. Inc.; answer.

" 10, " Cause No. 924; George E. Young v. The Barkley Co. Inc. answer.

" 10, " Cause No. 753; In re Last Will and Testament of Amy Bell, deceased; inventory.

" 10, " Cause No. 930; In re Last Will and Testament of John A. Bell; deceased; inventory.

" 10, " Cause No. 675; Siao King Kee v. American Trading Co.; *remititur*.

" 10, " Cause No 924; George E. Young v. The Barkley Co. Inc.; motion to release witness.

" 11, " Cause No. 905; Lee Ah King v. The Barkley Co. Inc.; motion to extend time for pleading and for continuance.

" 11, " Cause No. 911; The Barkley Company v. George E. Young; motion to extend time for pleading and for continuance.

" 11, " Cause No. 912; The Barkley Company v. George E. Young; motion to extend time for pleading and for continuance.

" 11, " Cause No. 923; George E. Young v. The Barkley Co. Inc.; motion to extend time for pleading and for continuance.

" 11, " Cause No. 924; Young v. Barkley Company, Incorporated; motion to extend time for pleading and for continuance.

" 12, " Cause No. 933; Fung Yu Linn v. Murphy; motion to dismiss.

Hearings:

February 7, 1920; Cause No. 924; Young v. Barkley Co., Inc.; on motion to dissolve attachment; P. M. Lineberger for the motion; Fleming, Davies & Bryan, by Mr. Bryan, *contra*; R. T. Bryan, Jr., and plaintiff examined as witnesses for defendant; hearing then continued one week at plaintiff's request.

February 9, 1920; Cause No. 934; In re Guardianship of Dennis Minors; on petition; testimony of petitioner taken.

" 9, " Cause No. 926; In re Last Will and Testament of Charles L. Ogilvie, deceased; on petition for probate of instrument and for Letters Testamentary; depositions of subscribing witnesses read; instrument admitted to probate and Letters Testamentary ordered.

" 10, " In re Application of Edgar M., Kitchin for Admission to the bar; on report of committee; oath administered.

" 11, " Cause No. 234; In re Guardianship of Dennis Minors; on petition; order granted as prayed.

" 12, " Cause No. 903; Bunn v. Barkley Co. Inc.; on defendant's motion to extend time for answer and plaintiff's motion for default; Fleming, Davies & Bryan, by Mr. Davies, for plaintiff; Paul Myron Linebarger, Esq. for defendant; after hearing counsel, defendant granted leave to answer before time fixed for taking evidence on February 28.

" 12, " Cause No. 911; Barkley Co. v. Young; on plaintiff's motion for continuance; Paul Myron Linebarger, Esq for the motion; Fleming, Davies & Bryan, by Mr. Bryan, contra; after hearing counsel, continuance granted pending cable advices *re* arrival of plaintiff's president.

" 12, " Cause No. 913; Barkley Co. v. Young on plaintiff's motion for continuance; Paul Myron Linebarger, Esq., for the motion; Fleming, Davies & Bryan, by Mr. Bryan, contra; after hearing counsel, continuance granted pending cable advices *re* arrival of plaintiff's president.

" 12, " Cause No. 923; Young v. Barkley Co. Inc.; on defendant's motion for continuance; Paul Myron Linebarger, Esq., for the motion; Fleming, Davies and Bryan, by Mr. Bryan, contra; after hearing counsel, continuance granted pending cable advices *re* arrival of plaintiff's president.

" 12, " Cause No. 924; Young v. Barkley Co. Inc.; on defendant's motion to release witness and

Fu Chung Corporation

The FU CHUNG CORPORATION, a British-Chinese Company, has the exclusive Selling Rights of the Well-known *Honan Anthracite Coal,* produced at the Mines of the Pekin Syndicate Ltd. and the Chung Yuan Co. Ltd., The Honan Anthracite Coal is the best Domestic Fuel in the Far East, is smokeless, economical and durable, and burns with an intense heat. It is very suitable for *open fire grates, stoves of all kinds, and steam Heaters.* The Boiler Coal, a grade specially prepared for steam raising, where mechanical draught facilities are available gives excellent results, economy of consumption being a main feature with this coal.

The Fu Chung Corporation has depots established at Shanghai, Hankow, Nanking, Pukow, Tientsin, Pao Ting Fu, Taokow and Lintsingchow, also interior agencies along the Tao-Ching, Kin-Han, Pienlo and Lunghai Railways, and along the main interior waterways from Honan Province. The present market is upwards of 1,200,000 tons per annum.

The Fu Chung Corporation is also prepared to act as Interior Agents in Honan Province for Manufacturers and Importers desiring to introduce their goods into the Interior.

All communications addressed to the General Managers, Chiaotso, Honan, will receive prompt attention.

Telegraphic Address: "Fuchung" Chiaotso.

Codes used: A.B.C. 5th Edition; and Bentleys.

We are Manufacturers of All Kinds of

Pure, Sweet Chocolate
Milk Chocolate Tablets
Covertures—Cocoa Powders, Cocoa Butter.

Cable or Write us for Export Prices stating Shipments desired.

Large Factory Facilities enable us to take care of your every need.

ROCKWOOD & COMPANY

Brooklyn, N. Y., U. S. A.
Estab. 1886.

Cable Address:
"WOODROCK"-Brooklyn. All Codes Used

11-576

plaintiff's motion to strike answer; Fleming, Davies and Bryan, by Mr. Bryan, for plaintiff; Paul Myron Linebarger, for defendant; after hearing counsel, witness released and cause continued under same conditions as in preceding cases.

February 12, 1920; Cause No. 929; Chow Song Dah v. Mrs. A. Abeles; on the merits; testimony of witnesses taken. Chow Song Dah, Mrs. Abeles and Skoglend.

„ 12, „ Cause No. 933; Fung Yu Linn v. Murphy; on motion to dismiss; granted.

Judgments and Orders:

February 9, 1920; Cause No. 926; In re Last Will and Testament of Charles L. Ogilvie, deceased; order admitting to probate and for letters.

„ 10, „ Cause No. 923; George E. Young v. The Barkley Co. Inc.; order extending time to answer.

„ 11, „ Cause No. 934; In re Guardianship of Dennis minors; order for letters of guardianship and license to sell property.

„ 12, „ Cause No. 903; Bunn v. Barkley Co. Inc.; order for taking evidence.

„ 12, „ Cause No. 911; The Barkley Co. v. Young; order for continuance.

„ 12, „ Cause No. 912; The Barkley Co. v. Young; order for continuance.

„ 12, „ Cause No. 923; Young v. The Barkley Co. Inc.; order for continuance.

„ 12, „ Cause No. 924; Young v. The Barkley Co. Inc.; order for continuance and release of witness.

„ 12, „ Cause No. 933; Fung Linn v. Murphy; dismissal.

Assignments for Hearing:

February 14, 1920; 9:30 A. M.; Cause No. 918; Shanghai Cooperative Soc. Ltd. v. Green.

„ 14, „ 9:30 A. M.; Cause No. 905; Lee Ah King v, Barkley Co., Inc.

„ 14, „ 11:00 A. M.; Cause Ne. 924; Young v. Barkley Co., Inc.

„ 16, „ 9:30 A- M.; Cause No. 888; Mercantile Bank of India v. Caravol.

„ 19, „ 9:30 A. M.; Cause No. 806; Oriental press v. Robert Dollar Co.

„ 28, „ 9:30 A. M., Cause No. 903; Bunn v. Barkley Co. Inc.

In the United States Court for China

Doong Nyi Benevolent Association, ( ) Plaintiff.	Cause No. 874
vs.	SUMMONS TO ANSWER
Henry S. Grew John Grew Mary Grew Robert Grew John Doe Richard Roe Defendants.	Filed at Shanghai, China, January 16, 1920. JAMES P. CONNOLLY Clerk.

THE PRESIDENT OF THE UNITED STATES OF AMERICA to the United States Marshal for China and his Deputies—

GREETING:

You are hereby commanded to serve this Summons to Answer and a copy of the petition in the above entitled action upon the Defendants if found within the jurisdiction of this Court—

HENRY S. GREW, AND JOHN GREW, MARY GREW, ROBERT GREW, JOHN DOE and RICHARD ROE, whose real names are unknown, heirs, successors and assigns of the said Henry S. Grew, and to notify them to be and appear before this Court on or before the twentieth day of March, 1920 to file their written answer hereto on oath.

WITNESS THE HONORABLE EDWARD D. WHITE, Chief Justice of the United States Supreme Court, at Shanghai, China, January sixteenth, 1920.

(SEAL)

JAMES P. CONNOLLY
Clerk.

Excerpt from Regulations, Section 8: On proof of due notice, judgment by default shall be procured against any defendant failing to appear and file his written answer as required.

IN RE LAST WILL AND TESTAMENT OF ELMER F. SHANSTROM, DECEASED

(*Cause No. 930; filed January 30, 1920*)

SYLLABUS

Holographic Wills. An instrument containing words written by the testator himself, sufficient to effect a valid disposition of his property, is an holographic will tho it also contain printed matter not inconsitent therewith, and tho not properly attested.

LOBINGIER, J.:

The decedent's widow offers for probate an instrument which, she testifies, bears the signature of decedent and contains, in his handwriting, the following words:

> "I wish all of my effects etc. to be given to my sister Irene Florence Shanstrom, address Coolidge, Hamilton Co., Kansas."

These words are written on the blank portion of a form of will containing the usual introductory and subscription matter; but the instrument purports to be witnessed by one person only and could not, therefore, be probated as an ordinary will. [1]

We have held, [2] however, that instruments in the testator's handwriting, tho not witnessed, are entitled to probate as holographic wills and the sole question here is whether the presence in the same instrument of the printed words deprives this one of that character. On that point the approved rule seems to be that if the words written by the testator suffice in themselves to effect a valid disposition of his property the instrument is none the less an holographic will because it contains other words, [3] provided they are

1. Act of Congress of March 3 1901, 31 U. S. Stats., at Large, Ch. 854, sec. 1628; Act of Congress of June 6, 1900, 31 U. S. Stats, at Large, Sess. I. secs. 138, 166.
In re Lucy Lucker's Will, Cause No. 548, Millard's Review VIII, 151; In re Kavanaugh's Will, Cause No. 715, Millard's Review, VII, 151, In re Amy Bell's Will, Millard's Review VIII, 342; In re Alberta C. K. Fitch's Will, No. 736; In re Derby's Will, Cause No. 609, Millard's Review, IX, 164.
3. Heirs of McMichael v. Bankston, 24 La. Ann. 451; Baker v. Brown 83 Miss. 793, 36 So. 539.

IN THE UNITED STATES COURT FOR CHINA

In re Estate of SUSAN POTT. Deceased.	Cause No. 927
.....	NOTICE

NOTICE is hereby given to all parties interested that the undersigned has been appointed Administrator of the above named decedent's estate; that all persons having claims against the said estate are required to present the same for payment, with vouchers, to the undersigned on or before August 7, 1920, and that all persons owing the said deceased are required to make payment to the undersigned.

F. L. HAWKS POTT,
Administrator,
Jessfield,
Shanghai, China.

February 2, 1920.

IN THE UNITED STATES COURT FOR CHINA

In re Last Will and Testament of ELMER F. SHANSTROM, Deceased.	Cause No. 930
.....	NOTICE

NOTICE is hereby given to all parties interested that the undersigned has been appointed Administrator *cum testamento annexo* of the above named decedent's estate; that all persons having claims against the said estate are required to present the same for payment, with vouchers, to the undersigned on or before August 7, 1920, and that all persons owing the said deceased are required to make payment to the undersigned.

NEVILLE CRAIG,
Administrator cum testamento annexo,
11 Whangpoo Road,
Shanghai China.

February 2, 1920,

IN THE UNITED STATES COURT FOR CHINA

In re Estate of FRANCIS BUTLER SHAW, Deceased.	Cause No. 920 Estate No. 322
.....	NOTICE TO CREDITORS

NOTICE is hereby given to all parties interested that the undersigned has been appointed Special Administrator of the above named decedent's estate; that all persons having claims against, the said estate are required to present the same for payment, with vouchers, to the undersigned on or before the 31st day of July, 1920, and all persons owing the said deceased are required to make payment to the undersigned.

(Sgd.) A. P. CHASE
Administrator,
51-A Kiangse Road,
Shanghai, China.

January 28, 1920.

IN THE UNITED STATES COURT FOR CHINA

In re Last Will and Testament of JOHN MYERS SWAN, Deceased.	Cause No. 925 Estate No. 323
.....	NOTICE TO CREDITORS

NOTICE is hereby given to all parties interested that the undersigned has been appointed Special Administratrix of the above named decedent's estate and that all persons having claims against the said estate are required to present the same for payment, with vouchers, to the undersigned on or before July 24, 1920, and all persons owing the said deceased are required to make payment to the undersigned.

(Mrs.) MINTA H. SWAN,
Special Administratrix,
Canton, China.

January 24, 1920.

Chinese Government Railways
PEKING-HANKOW LINE
"The Road Through the Heart of China"

THE Peking-Hankow Line, the most important section of China's overland route, enables tourists and travellers to get a glimpse of Old China, the train passing through magnificent scenery, traversing the great plains of Chihli, the central portion of Honan and the mountainous region of the eastern Hupeh province.

The Peking-Hankow route joins at Fengtai the main line of the Peking-Mukden Railway, by means of which this line is connected with the railways in Manchuria, Korea, Japan and Siberia, while steamer facilities at Hankow bring it into easy communications with the Yangtze River ports and Shanghai.

From the Capital of Hankow the journey occupies 34 hours, by the daily through train which is provided with up-to-date sleeping and dining accommodations.

Chikungshan Mountain (Summer Resort). Not many Summer Resorts in China inland can bear comparison with the natural charming views that reward those who ascend the mountain of Chi Kung Shan whose summit stands at an altitude of 1980 ft. On reaching Sintien Station, situated 110 m. from Hankow, a serpentine road climbs the mountain, on top of which are hundreds of beautiful bungalows awaiting vacationists. This popular resort is celebrated for its scenery, where an almost unbroken communion with nature can be enjoyed for a week at a time.

Hsi Ling or Western Tombs. With their present-day accessibility, there is now little excuse for visitors to Peking omitting a trip to the Western Tombs, undoubtedly one of the most impressive sights in China. The site of these beautifully adorned Imperial Tombs is close to Liang Ko Chwang station, 79 m. from Peking, which is reached by a Branch-line formerly built for the exclusive use of the Imperial Sovereigns when visiting the Tombs of their ancestors. The Western Tombs include the mausoleums of four Manchu Emperors and three Empresses, as well as those of a number of Princesses. The region is justly appreciated for the charming scenery surrounding the Imperial Tombs and is highly recommended to any one in search of the extraordinary and beautiful.

Chinese Government Railway

Kaifengfu-Honanfu (Peinlo) Line

The Kaifengfu-Honanfu (Pienlo) Railway often called the Lunghai and Pienlo Line connects the main Shanghai-Tientsin lines with the Peking-Hankow line. It is 115 miles long and was financed principally by Franco-Belgian capital.

This line joins the Peking-Hankow Railway at Chenchow and an extension to Hsuchowfu on the Shanghai-Nanking-Tientsin line is contemplated. The line is franchised and has a capital of Mex. $17,270,595 of which Mex.$17,182,006 is paid up. The franchise for its construction was granted to the Compagnie Generale des Chemins de fer et Tramways de Chine. 260 miles of extension to Sianfu was originally granted to two Chinese provincial companies. The first Section of 115 miles was redeemed by the Chinese Central Government in 1914.

The amount at credit for the cost of the railway was Mex. $16,537,779 and of this sum Mex. $16,300,117 has already been disbursed. Passenger receipts for the first five years working were: Mex. $273,489; $303,960; (No record); $482,097; $537,313. Freight receipts in 1911 and 1912 were Mex. $261,348; and Mex. $274,960, and in 1914 and 1915 Mex. $547,388 and $485,377 respectively.

The general working expenses in 1911 and 1912 were Mex. $465,179 and $524,741 and in 1914 and 1915 were Mex. $464,464 and $606,426 respectively.

Further information regarding the line may be obtained by addressing the

DIRECTOR-GENERAL, LUNGHAI RAILWAY
Peking, China.

not inconsistent with the remainder and provided also there is no statute as in California [4] requiring otherwise. The printed words of the instrument before us are not only consistent with, but supplementary to, the language of the testator which is quite sufficient to show his intention as to the disposal of his entire property. Nor is the failure of the instrument to name an executor a fatal defect.[5]

It is accordingly considered and decreed that said instrument be admitted to probate as the Last Will and Testament of Elmer F. Shanstrom, late a citizen of the United States, who died at Shanghai, China on January 10, 1920; and that Letters of administration *cum testamento annexo* issue to Neville Craig, Esq., as petitioned, by decedent's widow, upon the former's taking the oath and executing a bond in the sum of $400.00 United States Currency.

4. Where the Civil Code defines an holographic will as one "entirely written" by the testator. Estate of Rand, 61 Cal. 466.
5. In re Lucy Lucker's Will, Cause No. 548, Millard's Review VIII, 151.

Proposed Amendments To The Corporation Act

As will be seen by a study of its provisions, the Act of Congress of March 2, 1903 is, on the whole, a satisfactory piece of legislation. In a few particulars, however, it might be improved upon. Except in the case of banks, which Congress has generally made the subject of special legislation [1] and regarding which it seems unlikely to change its policy, there is no apparent reason for longer limiting the purposes, provided they are not unlawful, of incorporating here. Enforcement of the income tax against American corporations operating in China places them at a serious disadvantage as compared with other foreign competitors who are not so burdened. Finally the policy, already referred to, of the State Department, in requiring "a substantial American interest" might be embodied into the law and the filing of the Annual Statement in the offices where the articles are filed might well be substituted for newspaper publication thereof. But these changes are relatively slight and there is no need of displacing or superseding the whole measure in order to effect them.

Last July there was introduced in the House of Representatives a bill [2] containing sixty nine sections (exactly three times the number in the present law) "to provide for the incorporation of certain companies engaged in foreign trade". Except in the three features above noticed, a perusal of its provisions fails to show wherein it would constitute an improvement over the existing law even were it certain of passage. And the latest advices received in China were to the effect that in November last the bill had not yet been considered by the Judiciary Committee to which it had been referred.

Moreover at least one clause in the bill is likely to cause vexatious delays, if not more, in the process of incorporation. For it provides that

> "the articles of incorporation shall be filed in duplicate with the clerk of the highest court of the United States of America in the respective territory or locality, who shall submit them to the Secretary of Commerce, and *on approval by him* shall record them." [3]

1. S. F. 2472. A bill for the incorporation of banks "for the purpose of engaging *principally* in international or foreign banking or other *international or foreign* financial operations" appears to have passed one, if not both, houses of Congress recently.
2. H. R. 7204, (66th Cong. 1st Sess.) Introduced by Mr. Dyer.
3. Id, sec. 3.

In other words, after filing the articles here the proposed incorporators must wait until the Secretary of Commerce approves them before they can commence business, and during all of that period they must remain in a state of uncertainty as to whether they are to become a corporation or not. Anyone at all familiar with delays incident to department routine, in addition to those necessitated by a distance of 10,000 miles, will hesitate to approve such a provision.

In view of this situation those most interested in the subject at this end believe that a brief, simple bill providing merely for those changes in the present law whose need is generally recognized, will be of much greater utility here and much easier of passage, than an entirely new measure with so many sections, each of which increases the possibility of opposition and delay. Such a bill has accordingly been prepared and has received the indorsement of the leading American organizations in China. Its brief provisions are as follows:

A bill to amend certain sections of the corporation act of Congress of March 2, 1903 (32 U. S. Stats. at 947-952) extended over American citizens in countries over which the United States exercises extraterritorial jurisdiction by the provisions of section 4086 Revised Statutes, as interpreted by the judicial decisions thereunder.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled:

That section 1 of said act be so amended as to read as follows:

Sec. 1. Three or more adult persons, a majority of whom shall be citizens of the United States, may, in the manner hereinafter prescribed, form, in any such country, a corporation to engage therein, or in other foreign countries, or in the non-contiguous territories of the United States, in any lawful enterprise except the business of discounting or issuing, for circulation as money, bills, notes, or other evidences of debt, of receiving deposits of money, or foreign coins, or buyiug and selling bills of exchange.

Sec. 2. That section 6 of said act be amended by striking out the phrase "residents of the district of Alaska" and inserting in lieu thereof the words "citizens of the United States."

Sec. 3. That section 23 of said act be amended by striking out the words "publish weekly for three successive weeks, in a newspaper of general circulation in the district of Alaska" and inserting in lieu thereof the words "file in the offices where its articles of incorporation are filed".

Sec. 4. That said act be further amended by adding there to the following provision:

Sec. 24. Corporations organized under this act shall be exempt from all Federal taxation except such filing or other fees as shall be prescribed by the Judge of the Court with whose clerk the articles of incorporation are filed.

This bill has been indorsed by

The Far Eastern American Bar Association, January 12, 1920;

The American Association of China, February 4, 1920;

The American Chamber of Commerce of China, February 11, 1920.

Shanghai Exchange for week ending Wednesday, Feb. 11th, 1920

By Maitland, Fearon and Brand

Exchange:—Since the date of our last circular the price of silver in London advanced to 89 pence, but has since receded to 88¾d. for spot and 86¼d. for forward delivery. The rate for telegraphic transfers on London has risen to 9/3, a figure never reached before, but transations have been actually concluded at 9/7 for cash. The decline in the New York/London cross-rate to 3.23¾ has largely accounted for prevailing strength in sterling rates. However today saw a considerable demand for London and New York T/T, and at the close of business the market was decidedly weak, and the premium for cash T/T, which has recently been offering, entirely dssappeared. A feature of the week has been the sensational drop of 52 points in the rupee rate for T/T on India, principally caused by the rise in the Bombay/London cross-rate which is reported to have reached 3/0, but is now quoted at 2/8.

The local stock of sycee and Bar Silver has increased by Tls. 7.814,000 to Tls. 33,598,000, and the stock of Mexican and Chinese Dollars at $10,670,000 is $910,000 down. The stock of U. S. silver dollars remains unchanged at $1,002,000.

†	Average rates for Jan.	Thur. Feb. 5	Friday Feb. 6	Sat. Feb. 7	Mon. Feb. 9	Tues. Feb. 10	Wed. Feb. 11
Bk's selling rates		*opening closing*	*opening closing*	*opening closing*	*opening closing*	*opening closing*	*opening closing*
T/T London	7/11.880	8/9 9/0	9/0	9/0	9/3	9/3	9/3
D/Dfts. ,,	—	8/9¼ 9/0¼	9/0¼	9/0¼	9/3¼	9/3¼	9/3¼
4m/s ,,	—	8/9½ 9/0½	9/0½	9/0½	9/3½	9/3½	9/3½
T/T India	342.000	344½ 337½	337½	337½	315	315	315
T/T France	1,728.600	2100 2160	2200	2200	2315	2315	2315
T/T N. Y.	147.820	153 155	157½	157½	153	153	153
T/T H'kong	60.430	62¼ 62¼	62¼	62¼	64½	65	65
T/T Japan	33.010	31½ 31½	31¼	31¼	31¼	31¼	31¼
T/T Batavia	389.240	400 412	407	407	147	417	414
T/T Straits	29.620	27 26¼	26¼	26¼	25½	25½	25½
Bk's buying rates							
4m/s Bills L. Credits, D/A	8/4.150	9/1½ 9/4½	9/4½	9/4½	9/7½	9/7½	9/7¾
6m/s ,, ,,	8/5.150	9/2½ 9/5½	9/5½	9/5½	9/8½	9/8½	9/9
4m/s ,, D/P	—	9/1¾ 9/4¾	9/4¾	9/4¾	9/7¾	9/7¾	9/8
6m/s ,, ,,		NOMINAL	NOMINAL	NOMINAL	NOMINAL	NOMINAL	NOMINAL
4m/s Bills F. Crs., D/A, D/P	1,852,200	2250 2310	2350	2350	2465	2465	2465
4m/s N.Y. Lc.	157.820	163 165	167½	167½	163	163	163
4m/s ,, Docs	—	163¾ 165¾	168¼	168¼	163¾	163¾	163¾

†Based on Daily Official quotation, higher rate taken on rising Market, lower when falling.	Feb. 5	Feb. 9	Feb. 7	Feb. 9	Feb. 10	Feb. 11
Bullion.	Tls.	Tls.	Tls.	Tls.	Tls.	Tls.
* **London** Price of Bar Silver per oz. (English Standard 925 touch) ... Pence	88¼	86⅞	88	89	88½	88¾
Shanghai Price of Gold Bars (weight Tls. 10 (Chauping) 978 touch	153¹⁰	153⁷⁰	153²⁰	153⁶⁰	154⁵⁰	154⁵⁰
Shanghai Silver Bars (weight Tls. 100 (Canton) 999 touch)	111¹⁰	111¹⁰	111¹⁰	111¹⁰	111¹⁰	111¹⁰
Shanghai Mexican Dollars per $ 100	73.30	73.225	73.375	73.65	73.575	73.275
Native Bank Rate of Interest (Call money).....	2%	2%	2%	3%	2%	2%
*Closing Price in London for Previous day.						

Bank of England rate of discount	6%	London on Paris	T/T	48.68
Bank of France rate of discount	5%	London on Germany	T/T	—
London open Market rate		New York on London	T/T	3.38
of Discount 3 m/s.	5⅝%	Bombay on London	T/T	2/8
,, ,, 4 m/s.	5⅝%	Hongkong on ,,	T/T	6/0½
,, ,, 6 m/s.	5⅝%	Yokohama ,, ,,	T/T	2/9½

Business Opportunities

(To be continued next issue)

No. 338—The Minister for Cuba at Peking states that he would like to correspond with firms in China desiring to make business connections in Cuba.

No. 339—B. Heller and Company, Calumet Avenue and Fortieth Street, Chicago, cable address, "Zanzibar," desires representative in China to handle the following and other lines of merchandise: cocoa, spices, flavoring extracts, coloring and flavoring pastes, baking powders, meat products, sausages, laundry products, etc.

No. 340—Imex Corporation, 25 Beaver Street, New York, cable address, "Imex," cables as follows: "For us offer 10,000 gross human hair nets mesh cap shape assorted colors sizes made with long hair August to September wire reply at our expense." Imex Corporation is exporter of drugs, chemicals, dyestuffs, tin plate, copper rods, wire, cables, tubes, etc., and gives as reference the Empire Trust Company, 120 Broadway, New York.

No. 341—Mr. Wang Che Shu, who may be addressed care, American Consulate at Tsinanfu, China, is interested in corresponding with American firms with the idea of inducing such firms to establish branches in Shantung province.

No. 342—T. Y. Chang, address, c/The Shanghai Gazette, 8A Peking Road, Shanghai, desires to correspond with American firms that are in a position to supply the following materials: (1) Complete set of machines for making steel ribbed umbrellas. (2) Black cloth or other materials suitable for umbrella covers. (3) Round or square steel wires for umbrella ribs, steel sheets of about 1.36 inch thickness, brass sheets, etc. (5) Electro plating plant and materials. Mr. Chang states that a company with a capital of $ 100,000 is being formed for the purpose of estblishing an umbrella factory.

No. 343—A. B. Rudolph and Company, St. Paul, Minnesota, desires to purchase soy beans in car lots, F. O. B. St. Paul, sight draft attached to B/L Quotation to be in Gold and if not possible F.O.B. St. Paul, F.O.B. Shipping point. Desires samples of beans and if price right will immediately furnish bank references and place order for car load orders at intervals. Desires to know how beans are packed.

No. 344—Nat Frank, 1226 Madison Avenue, New York, desires to communicate with reliable exporters in China of peanut and soya bean oil, wood oil, essential oils, cassia and liniseed oils, egg ginger, bristles, hides camphor, shelled peanuts and other food products and chemicals.

No. 345—Universal Sales Company, 257 South Spring Street, Los Angles, Cal., cable address, "Universales," desire to push the sale of new and used automobiles in China. Desire names of foreign or Chinese firms that might be interested in handling such lines of cars and also accessories Have ready for shipment the following and other rebuilt cars, Chevrolet, Dodge, Auburn, Dort, Kisselkar, Maxwell, Oakland, Reo, Saxon, Studebaker, Buick, Hudson, Grant Humpmobile, Regal, etc.

No. 346.—Union Trust Company of Dearborn and Madison Sweets, Chicago, desire names of firms in China that would be interested in handling a line of fine oil engines.

No. 347.—Mr. Lynn W. Meekins, Acting American Commercial Attache at Peking, states that a prominent American manufacturer of plug tobacco, pipe smoking tobacco and cigarettes, desires to market his product in China. Persons interested are urged to communicate with Mr. Meekins at once.

No. 348.—Jones, Launt and Barret, Inc., General insurance agents of 411-13 Walnut Street, Philadelphia, desire to represent in the United States some of the large insurance companies in China. Are members of the Philadephia Chamber of Commerce. State that in order to do an insurance business in America it is necessary for foreign companies to deposit $200,000 in some one state of the United States.

No. 349—The Board of Trade, Williamsport, Pa., desires figures regarding the approximate number of Hogs, Sheep and Cattle in China and Japan. Persons having this information are urged to communicate with the Board of Trade direct or with the Secretary of the American Chamber of Commerce of China.

No. 350—The Sun Typewriter Company, 317 Broadway, New York, U. S. A., cable address, "Suntype," is desirous of obtaining representation in China. Machines sell for G. $55, $50 and $40.

No. 351—Herman Ekhagen, Marina Baja, 5, cable address, "Eke" Santiago de Cuba, desires to make connections in China with exporters of Rice and Beans. Ready to submit references whenever necessary.

No. 352—The Hart-Parr Company, manufacturers of oil cooled gas tractors, Charles City, Iowa, cable address, "Hartparr" desire to make connections in China for the sale of tractors

No. 353—Manufacturers Purchasing Corporation, 110 West 40 Street, New York, cable address, "Americose," desire to make connections in China for the sale of Powdered Sweet Milk with Sugar added. Product contains more Sugar than Milk Solids. Have two or three grades, one without butterfat content, others will run as high as 25% to 30% butterfat content. Product is used by manufacturers of sweet chocolate and sweet chocolate coating.

No. 354—W. O. Arzinger Machinery Company, Nashville, Tenn. manufacturers of the Simplex Machine for the Flotation Process for the recovery of Ore Values, desires agent in China.

No. 355—Landers, Frary and Clark, New Britain, Conn., manufacturers of Universal Cutlery, Hardware, Electrical Appliances, Vacuum Specialties, etc., desires representation in China

Chinese Government Railways

Approximate Return of Traffic for the period from October 1 to October 10, 1919

Name of Line	Passenger Revenue	Goods Revenue	Sundries	Total Revenue	Compared with same period last year Increase	Compared with same period last year Decrease	Accumulated Total Since Jan. 1 Present year	Compared with same period last year Increase	Compared with same period last year Decrease	Compared with same period last year Percentage of In. or Dec.	Traffic train miles run Accumulated Total Since Jan. 1	Compared with same period last year Increase	Compared with same period last year Decrease	Compared with same period last year Percentage of In. or Dec.
	$	$	$	$	$	$	$	$	$	%	$	$	$	%
Peking-Hankow	207114	460337	362	667813	54992	.....	18049124	1107023	.....	6.13	2902488	100438	.....	3.46
Peking-Mukden	176131	254872	1811	432814	17980	.....	13824321	.....	2143930	-15.51	2610846	.....	105716	-4.05
Tientsin-Pukow	134917	212978	8113	356008	23734	.....	10631824	1910544	.....	17.97	.....	.....	.....	.....
Peking-Suiyuan	33224	69727	3746	106697	.....	1459	3310411	164904	.....	4.98	652410	120913	.....	18.53
Shanghai-Nanking	106760	59784	3194	169738	26527	.....	4321622	741907	.....	17.17	1202897	102322	.....	8.51
Shanghai-H-Ningpo	58429	20102	1782	80313	8089	.....	1998233	131722	.....	6.59	520541	40756	.....	7.83
Cheng-Tai	15105	76263	210	91578	39117	.....	2243355	.....	208968	-9.31	487837	.....	525	-.11
Canton-Kowloon	21977	3144	700	25821	786	.....	744877	71363	.....	9.58	207767	10557	.....	5.08
Kirin-Changchun	16043	56629	98	72770	19273	.....	1413148	62922	.....	4.45	282229	.....	16174	-5.73
Taokow-Chinghua	5303	21297	489	27719	.....	245	728315	8916	.....	1.22	178168	771	.....	.43
Chuchow-Pinghsiang	3110	14424	.....	17534	3026	.....	463807	199545	.....	43.02	150712	64618	.....	42.87
Canton-Samshui														
Changchow-Amoy	410	18	36	464	.....	261	24625	.....	15518	-63.02	5171	.....	12299	-237.85
Kaifeng-Honan	21365	18865	1335	41565	1230	.....	1116259	387788	.....	34.74	217317	.....	13776	-6.34
Wuchang-Changsha	13103	19839	36	32978	14488	.....	1111256	976298	.....	87.86	231690	208023	.....	89.78
Ssu-Tsen	4441	8873	13	13327	3535	.....	500538	222609	.....	44.47	82901	24448	.....	29.49
TOTAL	817432	1297782	21925	2137139	210812	.....	60481715	3617125	.....	5.98	9732974	524386	.....	5.39

Y. C. WHANG

Chief of Railway Department, Ministry of Communications